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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

### PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by the Reverend Dr. Timothy Keller, Pastor, Redeemer Presbyterian Church, New York City.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty and Everlasting God, Your presence brings joy in every condition, and Your grace is the health of every community.

We ask now that You would be both present and gracious toward these lawmakers and leaders as they begin their daily work. Visit them with a spirit of understanding, counsel, and courage, so that they may both know and do what is right.

Give them wisdom as well as compassion as they ponder the plight of the powerless, so that they may seek justice and peace in our country. Give them a spirit of unity, so that, despite honest and deeply felt differences of conviction, they may humbly work together for the common good.

And so that we may obtain all that You promise, empower us, as a nation, to love all that You do command.

This we ask in the Name of the one Redeemer, who gives Himself to us, that we might give ourselves to Him. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 6, 2009.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the Military Construction and Veterans Affairs appropriations bill. I encourage Senators to come to the floor today and offer amendments.

Also, we will probably come in around 1 o'clock or 2 o'clock Monday and that will be an opportunity to offer amendments. It is very important to finish this bill before Veterans Day. I think that would send a good message to the veterans of our country. Senators are, therefore, encouraged to come to the floor and offer amendments.

There will be no rollcall votes today. There will be rollcall votes Monday starting at 5:30. The first vote on Monday will be on Andre Davis to be a circuit judge for the Fourth Circuit. We hope to have other votes that evening, based on the amendments that are filed.

It is my understanding the distinguished Senator from New Mexico, Mr. UDALL, is going to be here to offer an amendment today. The manager is here, the chairman, Senator JOHNSON of South Dakota. We are open for business. It is very important people understand that they have the opportunity to offer amendments, if, in fact, they have any.

In years past, we have finished this appropriations bill in a matter of a couple hours. This year, it has been a little tough to get through appropriations bills. We need to get through the bill. We have a lot to do before this year ends.

I express my appreciation to Senator JOHNSON for his usual fine work. He is an outstanding Senator and has done a good job of managing this bill through the committee process to get where we are today.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3082, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Johnson/Hutchison amendment No. 2730, in the nature of a substitute.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. JOHNSON. Mr. President, as we resume consideration of the MilCon/VA bill, I remind my colleagues how important this bill is to the health and well being of our Nation's veterans and military troops and families.

Overall, the bill provides \$134 billion for veterans health and benefits and for urgent investments in military construction, including family housing, barracks and operational facilities.

Within that total, the bill before the Senate provides increased funding for a number of smaller but important initiatives. Let me cite just a few examples.

For veterans, the bill provides \$3.2 billion for health care and supportive services for homeless veterans. Ending homelessness among veterans is one of Secretary Shinseki's top priorities, and I am committed to doing everything possible through the appropriations process to help him achieve that goal. To that end, I have an amendment to provide another \$50 million to the VA to renovate empty buildings on VA medical campuses to provide housing and services to homeless vets.

For the military, the bill fully funds the expansion of the Homeowners Assistance Program to help military families who face steep losses on home sales as a result of orders to new posts during the current mortgage crisis. Military families cannot pick and choose when or where they move—they go where their orders send them when they are told to move. The expansion of the Homeowners Assistance Program is designed to help military families who must move at a time when home values have plummeted to avoid foreclosure or financial ruin by compensating them for losses on home sales.

And for the Nation's economic and environmental health, the bill provides \$225 million to promote energy conservation and investment in renewable energy resources at U.S. military bases, nearly triple the budget request. The Defense Department is the single largest consumer of energy in the Nation. This bill provides the funding to step up efforts to reduce energy consumption on military bases and to promote renewable energy alternatives, ranging from installing energy efficient light bulbs to powering an installation with geothermal energy.

These are just a few examples of the many important programs funded in this bill, and a few of the reasons why it is important that we act swiftly to pass the bill. I urge my colleagues to come to the floor if they wish to speak or if they have amendments to offer, and to work with the committee staff to clear amendments.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent

that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 2737 TO AMENDMENT NO. 2730

(Purpose: To make available from Medical Services, \$150,000,000 for homeless veterans comprehensive service programs)

Mr. UDALL of New Mexico. Mr. President, I call up amendment No. 2737.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. UDALL], for himself, Mr. BINGAMAN, and Mr. BOND, proposes an amendment numbered 2737 to amendment No. 2730.

On page 52, after line 21, add the following:

SEC. 229. Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", \$150,000,000 shall be available for the grant program under section 2011 of title 38, United States Code, and per diem payments under section 2012 of such title.

Mr. UDALL of New Mexico. Mr. President, let me, first of all, thank Senator JOHNSON for all his hard work on this appropriations bill. The Military Construction, Veterans Affairs appropriations bill is one of the most important bills we do in the Congress because, as he has said earlier, it supports our veterans, supports their health care, supports military construction, and supports what they do in the communities around the country and across the world. In particular, it supports the Department of Veterans Affairs.

After reviewing this piece of legislation, I commend Senator JOHNSON on his excellent leadership. I also thank him for working with me on this particular amendment. I also thank his excellent staff.

I rise to talk about America's forgotten heroes and to offer this amendment to improve upon the excellent legislation before us today. Imagine dedicating your life to serving your country. You give up time with your family, you put your life on the line, you sacrifice everything for the freedom and security of your fellow Americans. Then, you come home and you cannot hold down a job or you cannot adjust to everyday life because of the traumatic experience you have been through. Soon, you find yourself without four walls to call home.

Many of our veterans transition back into civilian life without problems. For many others, it simply takes more time. But for some veterans, that transition is painfully difficult. Sometimes, it never happens at all. Right now, more than 130,000 of our Nation's 24 million military veterans—brave Americans who answered the call to serve—are homeless on any given day. They are in their greatest hour of need, living on the streets without support or any hope for a better tomorrow.

If every American living on the street is a tragedy, every veteran liv-

ing on the street is a crime. Our veterans deserve better than that from the Nation they served. At the bare minimum, this country has a responsibility to provide its veterans with a place to lay their heads.

Sadly, when it comes to this basic duty, we have not lived up to our ideals. Roughly, 200,000 American veterans experience homelessness at some time during the year. Veterans are twice as likely as other Americans to be homeless. This is a statistic that should outrage all of us.

President Obama has set a goal of eliminating the homelessness of veterans in 5 years. I commend him for that. I commend the subcommittee for the legislation they have put together to provide funding for several VA homelessness programs—and I commend Senator JOHNSON for his leadership on this legislation—including \$144 million for the Homeless Grant and Per Diem Program.

My amendment, however, increases the funding in the bill by a modest \$6 million, bringing it to the program's full authorization level. Senators BOND and BINGAMAN are joining in this effort as amendment cosponsors, and I thank them for their support.

This amendment will provide additional funds to construct, renovate, and acquire buildings to be used as service centers or transitional housing for homeless veterans. These grants are critical to organizations working to provide shelter to our homeless veterans. In my home State of New Mexico, six organizations in Albuquerque, Gallup, Las Cruces, and Las Vegas, have received these funds over the past 8 years. They will tell you firsthand how critical this funding is to our veterans and to our country.

While I know this funding is not an end-all, be-all solution to veteran homelessness, it is a good start.

I received a letter from a 15-year-old Boy Scout from Albuquerque a bit ago. His father and grandfather are veterans, and he is planning to follow in their footsteps and join the military himself when he is old enough. This young man wrote to say how angry he is that we are not doing enough to help our homeless veterans. Here is what he said in his letter that he wrote me:

These men and women are doing what they were called to do by our government . . . but then they come back and are treated so poorly by everyone . . . We, as a nation, need to do more to help our veterans.

As long as America faces threats and values freedom, we will need men and women to protect us. And as long as men and women serve in uniform, we all have a sacred responsibility to support them.

To the smart young man who wrote me that letter and to all America's veterans, this bill and this amendment builds on efforts to meet our country's moral obligations to the men and women who so bravely served our country. I urge my colleagues to support passage of both.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, this is an excellent amendment. I thank the Senator for offering it. I will accept this amendment at the appropriate time.

Mr. UDALL of New Mexico. Mr. President, if the Senator will yield for a comment, I, once again, thank Senator JOHNSON. I know when he looks at these veterans issues and deals with them, he has the utmost respect. I believe he has a son who has served. He brings a compassion to these veterans issues that shows in this legislation we have on the floor today.

I hope all of my colleagues will review the legislation and see that the Senator from South Dakota put a lot of hard work in and his staff has put a lot of hard work in. I once again appreciate him and his staff for working with me on this amendment. I look forward to working with him to see that it is accepted.

Mr. JOHNSON. I thank the Senator from New Mexico.

Mr. INOUYE. Mr. President, I submit pursuant to Senate rules a report, and I ask unanimous consent that it be printed in the RECORD.

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

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the committee report which accompanies S. 1407 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending bill.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TOO BIG TO FAIL LEGISLATION

Mr. SANDERS. Mr. President, as a result of the greed, the recklessness, and the illegal behavior of a handful of executives on Wall Street, we are in the midst of the worst economic crisis since the Great Depression. Millions of Americans from one end of this country to the other have lost their jobs, they have lost their homes, they have lost their savings, they have lost their ability to send their kids to college, and they have lost their hope. In fact, just this morning, we have learned that the official unemployment rate is now a staggering 10.2 percent—the highest in over 26 years.

Since the recession began in December of 2007, 8.2 million Americans have lost their jobs and the unemployment rate has more than doubled. In total, today 15.7 million Americans are officially unemployed; another 9.3 million are working part time—they want to work 40 hours a week, but they are

only working part time; and 2.2 million workers have given up looking for work altogether. When you add those three factors together—official unemployment, people who have given up looking for work, and people working part time who want to work full time—what you are left with is an incredible 17.5 percent of the American workforce unemployed or underemployed—27 million Americans. And when we go out and we find that people are angry or hurt or depressed, that is one of the reasons.

Over a year has gone by since Congress—against my vote—passed the \$700 billion bailout for Wall Street. The Federal Reserve has committed trillions of additional dollars in virtually zero-interest loans and other assistance to large financial institutions. Add it all together, and you are looking at the largest taxpayer bailout in the history of the world.

Then-President Bush, Secretary of the Treasury Paulson, and Fed Chairman Ben Bernanke told us at that time that we needed to bail out Wall Street because we could not allow these huge financial institutions and insurance companies to fail because if they failed, their failure would be systemic and would impact every aspect of our economy and would take down large segments not only of financial services but the entire economy as well. We all remember: This is not a bailout of Wall Street, this is a bailout to help Main Street.

One might think, if these institutions were “too big to fail,” one kind of obvious solution—and you don’t need a Ph.D. in economics to figure this out—is that you might want to make them smaller. If they are too big to fail, maybe you would want to reduce their size. Yet, under the leadership of the Bush administration and Fed Chairman Ben Bernanke, these financial institutions did not get smaller, they got bigger.

Last year, Bank of America, the largest commercial bank in this country, which received a \$45 billion taxpayer bailout, purchased Countrywide, the largest mortgage lender in this country, and Merrill Lynch, the largest brokerage firm in this country. You don’t become smaller when you incorporate other large institutions into your existence.

Last year, JPMorgan Chase, which received a \$25 billion bailout from the Treasury Department and a \$29 billion bridge loan from the Fed, acquired Bear Stearns and Washington Mutual, the largest savings and loan in the country.

Last year, the Treasury Department provided an \$18 billion tax break to Wells Fargo to purchase Wachovia, allowing that bank to control 11 percent of all bank deposits in this country.

Today, these huge financial institutions have become so big that, according to the Washington Post, the four largest banks in America—and I want people to hear this—Bank of America,

Wells Fargo, JPMorgan Chase, and Citigroup, now issue one of every two mortgages. Got that? The largest four financial institutions issue half of the mortgages in America. They issue two out of three credit cards and hold \$4 out of every \$10 in bank deposits in the entire country.

The face value of over-the-counter derivatives at commercial banks has grown to \$290 trillion, 95 percent of which are held at just five financial institutions in the entire country—JPMorgan Chase, Bank of America, Citigroup, Goldman Sachs, and Morgan Stanley. Derivatives are nothing more than side bets by Wall Street gamblers that oil prices will go up or down or that the subprime mortgage market will continue to get worse or on the weather or whatever can make them a quick buck. Risky derivative schemes led to the \$182 billion bailout of AIG, the collapse of Lehman Brothers, the downfall of Bear Stearns, and precipitated the largest bailout in the history of the world.

If any of these financial institutions were to get into major trouble again—and, frankly, there is no reason to believe that will not happen because they are spending millions of dollars trying to influence Congress to prevent any action to stop them from going back to the way they were before the collapse—we would be in line for a bailout that would be even larger than the bailout that took place over a year ago. Obviously, we cannot allow that to happen.

Not only are too-big-to-fail financial institutions bad for taxpayers, the enormous concentration of ownership in the financial sector has led to higher bank fees, usurious interest rates on credit cards, and fewer choices for consumers.

Mr. President, I am sure you have gotten the same calls I have gotten from people who say: You know, I pay my credit card bills on time every single month, and suddenly they raise my interest rates to 29 percent, to 30 percent. And one of the reasons these guys can get away with doing that is there is not a heck of a lot of competition out there. One out of four American families, as a result of this greed, this usury, is now paying an interest rate of at least 20 percent on their credit cards. That is another issue that, obviously, we have to deal with.

According to BusinessWeek:

Bank of America sent letters notifying some responsible cardholders that it would more than double their rates to as high as 28 percent.

These are people who pay their bills on time.

According to a recent study by the Pew Charitable Trusts, credit card interest rates went up by an average of 20 percent in the first 6 months of this year, even as banks’ cost of lending declined. In other words, as banks get bigger, consumers are having to pay twice—once to bail out these institutions when they screw up altogether and a second time to pay higher fees and interest rates.

The time has come for us to do exactly what Teddy Roosevelt, a good Republican, did in the early 1900s; the time is now to do what I think most Americans understand we have to do; that is, break up these huge financial institutions.

Yesterday, I introduced S. 2746, the Too Big To Fail, Too Big To Exist Act, which would do just that, and that is the bottom line. The bottom line here is that if a financial institution is too big to fail, that financial institution is too big to exist, and we have to start breaking them up.

This legislation is all of two pages. So when people ask you if you have read it, unlike the 1,900-page health care legislation, you can say with all confidence that you have read it, because it is all of two pages. What it says is, first, that the Secretary of the Treasury has to identify every single financial institution and insurance company in this country that is too big to fail within 90 days. In other words, what are the institutions that if they fail would cause widespread economic harm to the country? The Secretary of the Treasury does that within 90 days. After 1 year, the Secretary of the Treasury would be required to break up these institutions so that their failure would not lead to the collapse of the U.S. or global economy.

There is growing support in our country and around the world for breaking up too-big-to-fail financial institutions. Let me give you a few important examples of that growing sentiment all over the world.

It was reported in the Washington Post and major media all over the world that the British Government, in fact, is moving in that direction. Let me quote from the Washington Post:

The British Government will break up parts of major financial institutions bailed out by taxpayers. Spurred on by European regulators, the British Government is forcing the Royal Bank of Scotland, Lloyds Banking Group and Northern Rock to sell off parts of their operations. The Europeans are calling for more and smaller banks to increase competition and eliminate the threat posed by banks so large that they must be rescued by taxpayers, no matter how they conducted their business, in order to avoid damaging the global financial system.

That is about it. Ain't more complicated than that. Let's break them up before they again lead this world to a major financial crisis. Let's break them up before they require hundreds and hundreds of billions of dollars in bailout. And in my view, it is a positive thing that the Government of the UK is moving in that direction.

But it is not just the Government of UK. On October 15, 2009, Bloomberg News reported that former Federal Reserve Chairman Alan Greenspan—perhaps more than any other individual, the person most responsible for the deregulatory efforts which led us to where we are today—said this. This is what Greenspan said on October 15, 2009:

If they're too big to fail, they're too big. In 1911, we broke up Standard Oil—so what hap-

pened? The individual parts became more valuable than the whole.

Former Fed Reserve Chairman Paul Volcker, the head of President Obama's Economic Recovery Advisory Board, said:

Keep banks small so that any failure won't have systematic importance . . . People say I'm old-fashioned and banks can no longer be separated from nonbank activity. That argument brought us to where we are today.

That is former Fed Chairman Paul Volcker.

Robert Reich, President Clinton's former Labor Secretary, said:

No important public interest is served by allowing giant banks to grow too big to fail . . . Wall Street giants should be split-up—and soon.

Sheila Bair, the head of the Federal Deposit Insurance Corporation, has said:

We need to reduce our reliance on large financial institutions and put an end to the idea that certain banks are too big to fail.

On and on, people all over our country, conservatives, progressives, are making that point.

Let me conclude by saying this. As Members of the Senate, Members of Congress, we are besieged every day by enormously powerful and wealthy special interests. The health insurance industry is spending over \$1 million a day on lobbying, huge amounts of campaign contributions. The drug companies, the military defense contractors, you name it, they are all outside the door, fighting to make sure that their special interests are getting more and more. But at the top of that list of powerful special interests certainly are the large financial interests. Over a 10-year period they spent over \$5 billion in lobbying and campaign contributions in order to make sure that Congress deregulated their activities so they could merge, so they could engage in reckless financial speculation.

They won and the American people have lost, and the American people are paying that price today. The time is now for us to say enough is enough, for us to do what I think the vast majority of the American people want us to do and that is, if an institution is too big to fail, it is too big to exist.

Let's start breaking them up for two basic reasons. No. 1, I don't want to see a huge bailout having to take place again, hundreds and hundreds of billions of dollars of taxpayer money going to these guys. No. 2, it is unhealthy for the economy when so few people have such a concentration of ownership in terms of credit cards, in terms of mortgages, in terms of other financial transactions. The small business community and middle business community desperately need credit and they are not getting credit. You have people on there who are controlling a whole lot of our financial system.

Now is the time to do what Teddy Roosevelt did well over 100 years ago, and that is to stand up to these guys. For the well-being of the economy and for the American people, let's break them up.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RURAL VETERANS HEALTH CARE

Mr. TESTER. Mr. President, I rise to join with the chairman of the Veterans' Affairs Committee to urge passage of S. 1963. This bill contains the Rural Veterans Healthcare Improvement Act, a bipartisan measure that will make countless improvements in the VA for veterans in most of the rural places in this country. This bill locks in the mileage reimbursement rate for disabled veterans who have to travel long distances to get to a VA clinic. It also gives greater authority to develop new strategies to address the mental health needs of OIF and OEF veterans in highly rural areas where access to health care is an enormous challenge.

I am also pleased the bill authorized hiring of health care coordinators at a local level, to prioritize the needs of our country's 184,000 American Indian veterans. Most of these veterans are located in only a few States. The bill gets folks who understand the unique needs of tribal veterans to the areas that need them the most. I am honored we were able to get strong support across the veterans community for this bill and I think it will help a lot of rural veterans if we get this bill passed.

When someone puts their life on the line to defend this country, they have earned health care, education benefits, and disability benefits if needed. America's responsibility to honor the promise of our veterans should not depend on whether the veteran lives in an urban area, but too often that is still the case. This bill helps to address some of the inequalities facing rural veterans.

This bill was approved unanimously by the VA Committee just before Memorial Day. It is now almost Veterans Day. We can do better by folks who served our country and settled down in rural America. Let's not stand in the way for better VA services for rural veterans.

I understand there has been a hold put on this bill. Our veterans are too important for politics. The fact of the matter is, our veterans are folks who, as I said in my comments, have served this country so very well. We need to

step to the plate and serve them in the same way they served us—live up to our promises, live up to our obligations to the veterans of this country.

I encourage the Senate to pass this bill very soon. Hopefully, we can get it done before Veterans Day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, I rise to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### HEALTH CARE REFORM

Mr. CORKER. Mr. President, I will be very brief. I know there are very few Senators still here in the Capitol. Most people, as they should, have gone home to meet with constituents, something I will do a little later this afternoon. I realize there may be very few staff members who may be listening. I realize the other body is in session and may possibly take up the health care bill that all of us have been talking about for some time here on the floor.

I want to make a point I made a few days ago one more time. Early this week I woke up early in the morning and was thinking about the health care legislation that is before this body—or will be before this body very soon. It has been the focus of the country, if you will, over the last several months. I thought about the provisions that are the base building blocks in this legislation. You have a piece of legislation that is taking Medicare savings, \$400 to \$500 billion, and using those “savings” to leverage a whole new entitlement, not using those “savings” to take Medicare and make it more solvent or to deal with the SGR issue so many physicians around this country are concerned about.

I thought about the fact that not long ago, a couple of years ago—and probably, Mr. President, even when you were doing the same thing I was doing and that is seeking this office—so many people were concerned about the unfunded liabilities we had in Medicare and Social Security. There seemed to be a bipartisan move to want to solve that problem for the long haul so we knew that those particular entities would be dealt with in an appropriate way. Here we have a bill that is taking \$400 billion to \$500 billion in savings, depending on which draft, whether it is the House or the Senate, and instead of making Medicare more solvent—it has \$38 trillion in unfunded liabilities—we in this body are using those savings to leverage a whole new program.

Second, we are using Medicaid and basically creating huge unfunded mandates for our States. I think all of us know that. In my own State we have a Democratic Governor who wants to see health care reform occur, as I do, but he is very concerned, in a State that expects revenues to be at 2008 levels in 2013, that all of a sudden he has this unfunded mandate.

Third, this bill, as we know, is going to raise insurance rates because of some of the provisions wherein insurance companies have to take all comers but everyone doesn't have to bill health insurance. In my own State, it is a 60-percent increase projected in 5 years by an independent group. This is not something the insurance companies directly put together; an audit was put together to look at this.

If I had drafted this bill, BOB CORKER from Tennessee, a Republican, if any of the people on this side of the aisle had drafted this bill, there would not be one single Democratic vote for this bill if you look at those components which are the basic building blocks of this bill. This week, as I have come up here to vote, I have talked to numbers of my friends, like you, Mr. President. You are one of the specific ones. I don't want to throw you in this category, but you are my friend. I have numbers of friends on the other side of the aisle where I seek to find common ground and we cosponsor legislation together. You and I are working on something right now.

As I rode the elevator up yesterday to the vote we had last night, I talked to some numbers of my friends on the other side of the aisle, both on the elevator, walking here, but on this floor.

And I said: You know, guys, if I had offered this bill, or any Republican had offered this bill that we are getting ready to debate on the Senate floor, there would not be a single Democratic vote for it.

That is not because of partisanship, by the way; it is because of what is in the bill itself. Almost to a person, there were a few who said they agreed.

They said: You are right. If Republicans offered a bill that is at \$400 to \$500 billion of Medicare savings and did not apply it to making Medicare more solvent but took that to leverage a whole new program, there would not be a single Democratic vote for that bill.

So I understand. We had a President of our party during the first 2 years I was here. I understand what happens when you are going to “do one for the Gipper,” if you will. You are going to “do one for the President” who needs this. But this is a very important piece of legislation. I do not understand—I really do not—on something that is going to be hard to undo, why so many of my colleagues on the other side of the aisle are supporting a piece of legislation that if they were left to their own accord and in a vacuum—did not have the President, did not have the majority leader, did not have the Speaker of the House pushing this legislation—if it was just presented to them if they were at a townhall meeting, they had never heard of this legislation before, and somebody said: Would you support a bill that does this, I do not think there would be a person on the other side of the aisle who would support this legislation.

So as we move into this weekend—and I know this body is not going to

take it up. I know the House is. I hope there are a few House Members listening. I hope people will think about this and step back away from it.

I am one of those Republicans who wants to see responsible health care reform. I want to see us lower the costs of this delivery system, which this bill candidly does not do. I want to see more Americans have access—if not all—to affordable, quality health care.

This bill, we all know, takes us in a direction, there is no question, that is not the right direction. I hope that together we will figure out a way to address health care reform in a way that will stand the test of time.

This bill will not do that, and I know I have already talked to many of the people I mentioned yesterday who said: We realize we are going to create lots of problems. They are going to have to be dealt with down the road, but we cannot vote against this piece of legislation today.

I hope the body will rise to the occasion. I hope the body will put aside a piece of legislation that I do not think anybody feels great about. I hope we will come together and do something that is in the best interests of our country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I ask unanimous consent to proceed as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RURAL VETERANS HEALTH CARE

Mr. AKAKA. Mr. President, I have come to the floor today to discuss an important veterans' bill. Before I do so, I wish to express my great sadness about the horrible tragedy yesterday at Fort Hood. My thoughts and prayers are with those wounded, the families of those killed, and to all the soldiers and civilians defending our great nation at Fort Hood.

As chairman of the Senate Committee on Veterans' Affairs, I take my responsibility to the Nation's veterans very seriously. We are an active committee and are working hard to make improvements in VA care and benefits.

I am delighted to note that the President signed the Veterans Health Care Budget Reform and Transparency Act of 2009 into law last month. This measure will provide timely and predictable funding for the veterans health care system. I am grateful to all who worked on this, including the committee's ranking member, and the Veterans Service Organizations, that made this one of their priorities.

Despite this success, we, as a committee, have not been able to achieve action on S. 1963, the proposed Caregiver and Veterans Health Services Act of 2009. This vitally important veterans' health bill is being held up by a single Senator. Each day that this measure is delayed, means that vital benefits for veterans are delayed.

This is a bipartisan bill, the provisions of which were reported by the committee as S. 801 and S. 252, with the full support of our ranking member, Senator BURR.

This bill is supported by many veterans' organizations, including the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and the Wounded Warrior Project.

Various other advocates support this bill, as well, including the Nurses Organization of Veterans Affairs, the Brain Injury Association of America, the American Academy of Ophthalmology, the American Association of Colleges of Nursing, and many others.

By blocking S. 1963, this single senator is denying veterans many benefits and services.

One of the key benefits is caregiver assistance for our most seriously wounded veterans.

The committee continues to hear about family members who quit their jobs, go through their savings, and lose their health insurance, as they stay home to care for their wounded family members.

For those family members who manage to keep their jobs, their employers, including many small businesses already struggling in these economic times, lose money from absenteeism and declining productivity.

The toll on the caregivers, who try to do it all, can be measured in higher rates of depression, and poor health as they struggle to care for these wounded warriors, an obligation that ultimately belongs to the government.

This legislation fulfills VA's obligation to care for the nation's wounded veterans, by providing their caregivers with counseling, support, and a living stipend.

The measure also provides health care to the family caregivers of injured veterans. These caregivers deserve our support and assistance.

As a representative of the Wounded Warrior project said in testimony before the committee, "The time has surely come to create a robust, nationwide wounded warrior family caregiver program to address the urgent needs of these family members." S. 1963 creates such a program.

By blocking S. 1963, this Senator is also blocking benefits specifically for women veterans. This bill, and Senator MURRAY has been a leader on this, would do a number of things, such as increase funding for mental health care for women who suffered military sexual trauma, and for medical services for newborn children.

With the help of Senator TESTER, this bill also would improve access to care in rural areas. States which have an especially high number of veterans living in rural areas, such as Montana, Nevada, Wyoming, Florida, Arizona, Arkansas, Virginia, Idaho, Oklahoma, and New Mexico, would benefit greatly from these programs.

The bill also attacks another problem, that of homeless veterans.

On any given night we know that more than 130,000 veterans are homeless.

We know that homelessness is often a consequence of multiple factors, including unstable family supports, job loss, and health problems.

S. 1963 would also create programs to help ease the burden of veteran homelessness, including programs aimed at outreach so that veterans know that they are eligible for benefits.

This lone Senator also is blocking provisions that would improve quality controls for VA health care, from the facility level to the national level.

Two years ago, the VA hospital in Marion, IL, had nine veterans die following surgery.

The VA's inspector general found that the Marion VA's quality controls were not adequate to ensure that veterans received good quality care.

This month, the IG published another report on the Marion hospital, finding that it still did not have adequate quality controls. It is time for this body to act, so that no more veterans receive less than the best care VA can provide.

Senator DURBIN drafted provisions in this bill that will help improve overall quality management so as to help fix the problems at Marion and other facilities.

S. 1963 would provide uniform allowances for VA police officers. Many organizations have expressed support for these provisions, including the Fraternal Order of Police.

VA police officers ensure the security of veterans and their families while they are visiting VA hospitals and clinics.

To refuse to provide for these officers because it is too expensive is not only penny-wise and pound-foolish, it cheapens the sacrifices of these uniformed officers and the Nation's veterans who are protected by them.

While I understand that the Senator who is refusing to agree to allow this bill to go forward questions the cost of the underlying bill, I would say that we cannot now turn our back on the obligation to care for those who fought in those efforts.

When we, as a body, vote to send American troops to war, we are promising to care for them when they return.

I firmly believe the cost of veterans' benefits and services is a true cost of war and must be treated as such.

We are preparing to observe Veterans Day.

Let us remember that we owe our veterans our gratitude and appreciation year round, and not merely on the day set aside for the commemoration of their service and sacrifice.

It would be truly disgraceful if veterans were made to feel forgotten except for this 1 day per year.

Indeed, our gratitude should be as steadfast as the great monuments that Americans have built in commemoration of the very service and sacrifices our veterans made.

There should be no ambivalence in our attitude toward those who serve in the U.S. Armed Forces.

And this legislation should be immediately cleared by the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BEGICH. Mr. President, I rise in support of S. 1963, the Caregiver and Veterans Omnibus Health Services Act of 2009. I thank the chairman of the Veterans' Affairs Committee, Senator AKAKA, for his leadership on this bill and in committee.

S. 1963 is comprehensive legislation that addresses many of the needs of our veterans, our Nation's heroes. Provisions are included to improve veterans health care, provide benefits for caregivers of wounded veterans, enhance outreach to homeless veterans, and expand health care for female veterans. The bill also provides for VA personnel improvement and quality management. Rural veterans, such as those in my State who face challenges accessing health care every day, will benefit from this bill. It expands telemedicine programs and provides the Department of Veterans Affairs authority to recruit and retain high-quality health professionals in rural communities. The bill also improves mental health care. Eligibility to receive readjustment counseling for Iraq and Afghanistan vets, including the National Guard and reservists, will increase.

So many issues facing our veterans today are addressed in S. 1963. Passage of this legislation and its enactment into law will improve and increase services for veterans and acknowledge the sacrifice of their caregivers.

Yet even as Veterans Day approaches, a Member of the Senate has placed a hold on this bill, denying better services for our veterans. I cannot imagine why this hold has been placed on this legislation. How can a Member of the Senate deny our veterans better care? How can my Senate colleague justify his hold on a bill that helps homeless and wounded veterans? How can my colleague deny veteran caregivers deserved relief and support? There is no excuse for not supporting our veterans and their caregivers. They have earned better than what we have provided to date. This bill gives us an opportunity to provide for veterans and to honor their sacrifices. This bill, on which my colleague has placed a hold, will eliminate copayments for veterans who are catastrophically disabled and allow the VA to reimburse these veterans for emergency care at non-VA facilities. How can my colleague deny disabled veterans easier and less costly medical care? Veterans have paid their dues, and it is our turn, our duty, and our obligation to take care of them.

I am disappointed my Senate colleague does not share this same sense

of duty and responsibility to our Nation's heroes who have sacrificed so much for our very right to stand in this body and debate this matter. There is no good reason or rationale for a hold to be placed on this legislation.

I call on my colleague to remove this hold and ask my colleague to remember, as Veterans Day approaches, that those who have served this country deserve better. They have earned it. It is my obligation and his obligation to support our veterans and to always remember the sacrifice they have made.

Senator COBURN, let the Senate proceed with recognizing and providing for our Nation's veterans by removing your hold on S. 1963.

Again, I thank Chairman AKAKA for his unwavering support and advocacy for our veterans.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRAGEDY AT FORT HOOD, TEXAS

Mr. REED. Mr. President, I come to the floor today, as so many of my colleagues have, to reflect on the extraordinary tragedy that took place at Fort Hood, TX, yesterday. It is almost inconceivable such an event could take place.

As we sort through the motives and the rationale, which may take weeks, I think we, obviously, have to extend our deepest, sincerest condolences to the families of these men and women. They were there because they wanted to serve their country. They were there because they were willing to risk their lives in service to this Nation.

Tragically and inexplicably, it happened on a post in the United States not in a faraway land. I think this is a moment where we all have to stop, not only to extend our warmest condolences to the families, but also to reflect on the service and sacrifice of all the troops. Their continued willingness to serve and expose themselves to risk, to leave their families behind—all of this creates the pressure, the tension, the burden of soldiering in this moment in our history. We owe them more than we can repay them.

At this moment, I express my deepest condolences to the families and also to those soldiers who came to the aid of their comrades, who exposed themselves in a dangerous manner to try to get people to safety, to try to provide first aid to the wounded. They continue to be our heroes, and they always will be.

Mr. President, I would now like to speak on the military construction bill before us. I want to commend, obviously, my colleagues, Senator JOHNSON and Senator HUTCHISON, for their great work. I had the privilege for a short

time to serve as the acting chairman of the subcommittee and worked very closely with both Senator JOHNSON, our chairman, and Senator HUTCHISON, the ranking member. They are both very committed and dedicated colleagues, and they have done a remarkable job.

This bill provides \$134 billion for military construction, military family housing, and veterans affairs programs, an increase of approximately \$429 million over the President's request.

This bill provides a total of \$109 billion for the VA and increases funding for medical care by \$4.2 billion over last year's funding.

For the first time, the bill includes advance appropriations for the VA's medical programs to ensure a stable and uninterrupted funding stream.

This bill also provides funding to combat homelessness among veterans. This is a priority of both Secretary Gates and Secretary Shinseki, and also Admiral Mullen, the Chairman of the Joint Chiefs of Staff. This bill includes \$3.2 billion for health care, support services, and housing assistance for homeless veterans.

I hope, again, the Senate will act before Veterans Day to pass this measure. I think it would be a fitting tribute to our veterans, whom we honor in words, and I think we have the chance, early next week, to honor them in deeds.

Mr. President, I ask unanimous consent that my following remarks be printed elsewhere in Morning Business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REED. Mr. President, 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRIBUTE TO LIEUTENANT GENERAL THOMAS F. METZ

Mr. REED. Mr. President, I have been very fortunate in my life. One of the great opportunities I received from Senator John O. Pastore of Rhode Island was the opportunity to attend

West Point. At West Point, it was not just a great education, it was not just an opportunity to serve the Nation. The most important opportunity I had was to meet an extraordinary group of my colleagues and classmates who have served this Nation with great distinction now for over 30 years.

Recently, some of my colleagues who have reached general officer ranks have retired: GEN Bill Dailey, who was one of the chiefs of our special operations forces, someone whose heroism and courage would be well renowned if it could be revealed, but because of his special operations missions, much of what he has done will be classified for many years; GEN Mike Maples, who was the head of the Defense Intelligence Agency—two valued friends and classmates who have retired.

In a few days, another of my classmates will join that distinguished roster: LTG Tom Metz. Tom Metz is someone who personifies the values of duty, honor, and country, and who has spent his entire life in service to the Nation.

He joined the Army as an enlisted man in 1966. He went to the Army's West Point preparatory school, and then he joined the class of 1971 in the summer of 1967. Even then, back in the late 1960s, it was quite obvious that Tom Metz was going to be a leader in our Army, that he was going to command great responsibilities. It was a function of his skill but, most importantly, it was a function of his character, his commitment to those he led and to the Nation he chose to serve.

Tom Metz's career has been an extraordinary one. He started as a lieutenant in the 1st Battalion of the 509th Parachute Infantry Regiment in Germany in the 1970s. He rose through the ranks to hold command at every level: platoon, company, battalion.

He concluded his command responsibilities in Iraq as the commander of Multi-National Corps-Iraq during Operation Iraqi Freedom. There he led our forces from January 2004 to February 2005. In a difficult moment, he provided the leadership and the example that our forces needed.

His previous assignments included being the assistant division commander of the 4th Infantry Division, where he was able to begin the technological improvement of our Army by introducing new digital technology for our armored forces. He also served in several staff positions of great responsibility.

Presently, he is the head of the Joint Improvised Explosive Device Defeat Organization. This is the weapon—the IED—of choice of our opponents, and the Department of Defense chose one of the most capable and most caring individuals to lead our effort to defeat these devices.

Tom will conclude a distinguished career. He was bolstered, supported, encouraged, and sustained throughout his career by his wife Pam and his family. They, too, served and they, too, deserve our great commendation and respect.