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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, November 16, 2009, at 2 p.m.

## Senate

MONDAY, NOVEMBER 9, 2009

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, Creator and Sustainer of humanity, as we continue to try to understand the tragedy at Fort Hood, our hearts ache for the victims, so we turn toward You, our source of hope. We find solace in knowing that even when right seems defeated, it will ultimately triumph over evil that seems to have won.

Bless this land we love with a righteousness that provides a shield for our Nation, saving us from regrets and shame. Remind us that America's greatness resides in its goodness, for sin is a reproach to any people.

Today, enable our lawmakers to be examples of the integrity and goodness that bring stability and security, as You imbue their minds with Your vision of what we can become when we seek first to do Your will.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 9, 2009.

#### To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### FORT HOOD SHOOTING

Mr. REID. Mr. President, our Nation mourns every death of an American servicemember. We grieve alongside the families who sacrifice so much while their loved ones serve and hurt even more when loved ones give the ultimate sacrifice.

I can remember the many calls I have made to Nevadans as a result of the deaths of their loved ones in Iraq and Afghanistan. They are difficult calls to make when that Nevadan does not come home.

I remember the first call. A young man, a star athlete in high school, was killed. I spoke with his coach, his friend who took care of him. That was the first. I remember the last, just a couple of days ago, a death in Afghanistan.

We are especially heartbroken by last week's tragedy that occurred deep in the heart of Texas. The entire Senate sends its deepest condolences to those who have lost mothers and fathers, sons and daughters, husbands and wives at Fort Hood. Our thoughts are with the troops who have lost their friends and fellow soldiers and those who continue to heal as I speak. These men and women died in the Soldier Readiness Processing Center. This is supposed to be the last place our troops go before they are deployed, in this instance to Afghanistan and Iraq. No one ever suspects it will be the last place they would ever go.

As we mourn, we honor the lives of those who died on that base. We hope for the full and speedy recovery of those who have been injured, and we are thankful for the men and women who came to the aid of the wounded and exhibited the kind of heroism that makes our Armed Forces the best in the world. And, of course, we are especially grateful to Kimberly Munley, who stopped the gunman.

The 13 who died at Fort Hood were from 11 different States, States that border the Atlantic, the Pacific, and the Great Lakes, States high in the Rockies and in the Great Plains. These public servants ranged in rank from private to colonel and even included an

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



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Army civilian. The oldest was a husband, a father, and a grandfather from Spokane, WA. He was a civilian, a physician assistant who worked in rural clinics and veterans hospitals. He was 4 years away from his retirement. The youngest was just barely 19 years old, a private first class from northern Utah, who was just months away from deploying to Afghanistan. A 29-year-old sergeant from Wisconsin joined her Nation's military after the September 11 attacks. A 21-year-old from outside Chicago enlisted in the Army to help him afford college, where he dreamed of an education studying music. A 22-year-old specialist from Oklahoma had been married for just 2 months. A 21-year-old private first class from Chicago was 3 months pregnant. A 55-year-old lieutenant colonel was the grandmother to six. A 52-year-old major spoke very little English when he came to this country from Mexico in his teens, but he earned a Ph.D. in psychology, became a teacher, and ultimately chose to serve his country in the military. And Kimberly Munley, a woman who was shot several times. Kimberly was a sergeant and a civilian police officer. She took down the alleged shooter with her pistol, even as she suffered wounds of her own from the gunman. Yes, Fort Hood is home to truly remarkable, selfless Americans.

Our Nation misses those who were murdered, and our thoughts are with those who are now healing as a result of having been wounded in that senseless crime. The appropriate officials both inside and outside the Army will continue to investigate how such a tragedy occurred. The Senate will support them in every way we can.

In the meantime, one of the ways we can support the brave Americans who volunteer for duty is to give them the resources they need when they come home. We are trying to move forward on a package of bills that will make wounded veterans' lives a little easier. Sadly, these bills are being inexplicably held up by the minority. We have a number of very important bills that have been reported out of the Veterans' Committee, and we have not been able to move forward on them. Among other things, these bills will help veterans to get access to the caregivers they need for even the smallest task they cannot handle on their own. These bills will support veterans' mental health services and other health benefits, and they will make sure our veterans do not have to live on the streets.

Right now, a Republican Senator is singlehandedly standing in the way of these bills. Under the rules of the Senate, that is what he decided to do, but that doesn't make it right. I hope he will drop his objection so we can put our veterans' health ahead of whatever issues he is concerned about. The same Senator did this for months on a number of very important environmental bills, some lands bills. In that instance, we gathered all the bills together and

put them into one bill and on a bipartisan basis got them out of here. We have done the same with these veterans bills.

These are extremely important, popular pieces of legislation, and we are going to move forward on these as quickly as we can. It would be nice if we could do them before Veterans Day, which is the day after tomorrow. I also look forward to moving ahead the Military Construction-Veterans Affairs appropriations that will fund housing for our military families, improve our bases, and support veterans programs.

Tomorrow morning when the Senate convenes, we will have a moment of silence to honor the fallen at Fort Hood. I encourage all Senators to come to the Senate at the time the Senate opens tomorrow for this most important time.

I have spoken with the Republican leader today. He is going to be as helpful as possible in making sure we move forward on this Military Construction-Veterans Affairs appropriations bill at the earliest possible time. I hope we can do it tomorrow.

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#### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period for the transaction of morning business until 3 o'clock this afternoon, with Senators permitted to speak for up to 10 minutes each.

Following morning business, the Senate will resume consideration of H.R. 3082, the bill I just talked about, Military Construction. Senators are encouraged to come to the floor to offer their amendments to this legislation.

At 4:30 p.m. today, the Senate will turn to executive session to consider the nomination of Andre Davis to be U.S. circuit judge for the Fourth Circuit, with the time until 5:30 p.m. equally divided and controlled between Senator LEAHY and Senator SESSIONS or their designees. At 5:30 p.m. today, the Senate will proceed to a rollcall vote on confirmation of the nomination. We are also working on an agreement to work on other nominations, in fact, one following the 5:30 p.m. vote. We hope that can be worked out. Senators will be notified if and when any agreement is reached.

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#### RECOGNITION OF THE MINORITY LEADER

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

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#### FORT HOOD SHOOTING

Mr. McCONNELL. Mr. President, I associate myself with the remarks of the majority leader with respect to the shooting, the murdering of our troops in Fort Hood last Thursday. I will have more to say about that later.

#### HOUSE-PASSED HEALTH CARE

Mr. McCONNELL. Mr. President, last Saturday evening, Democratic leaders in the House passed by the narrowest of margins a massive bill with a simple goal: to vastly expand the Federal Government's role in the health care decisions of every American. This bill is strongly opposed by most Americans, which is why one out of seven Democrats voted against it. These Democrats have gotten the message that Americans are fed up with all the spending and all the debt and that they do not support a so-called health care reform that raises premiums, raises taxes, and slashes Medicare. Americans don't want a 2,000-page, trillion-dollar government experiment in health care. They want commonsense reforms that increase access and lower costs.

Soon, Senate Democrats will propose their version of a health care bill. We don't yet know all the details, but we do know that at its core, this bill would also lead to higher premiums, higher taxes, and massive cuts to Medicare to fund new government programs. This is not the reform the American people were looking for. This is not the reform they were told they could expect.

Americans feel as though they have been taken for a ride in this debate. I don't blame them. It is time we listen to the American people. At a time of double-digit unemployment and record deficits and debt, the views of ordinary Americans should not be cast aside.

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#### 20TH ANNIVERSARY OF THE FALL OF THE BERLIN WALL

Mr. McCONNELL. Mr. President, today marks a very important day in the cause of freedom. On this day 20 years ago, the Berlin Wall, which for decades had divided the free people of West Berlin from the captive Germans in the Soviet-controlled East Berlin, finally came down.

In anticipation of this anniversary, we had the rare honor last Tuesday of hearing German Chancellor Angela Merkel address a joint meeting of Congress. She was the first German Chancellor to do so in more than 50 years. Chancellor Merkel spoke about the experience of growing up with millions of others behind the Iron Curtain. She spoke of how it was impossible for herself and anyone else she knew to travel to America. Yet even as a child she knew that tyranny was wrong and that the answer to tyranny could be found across the ocean in America.

Now decades later, Chancellor Merkel's country has gained that freedom, and a little girl who grew up under a repressive regime is the freely elected leader of a united Germany. Here is what Chancellor Merkel had to say about what made that extraordinary journey possible. She said just last week:

Twenty years have passed since we were given this incredible gift of freedom. But