

any action possible to get us down to that limit. That would include denying all discretionary permit requests.

What else does it mean? It means, under that mandate in the law, you can bet that every leftwing environmental group in the world, much less in this country, will sue to block all economic activity that requires discretionary permits. Quite frankly, they will have a very compelling case. They will point to this legislative language, if it is enacted, and say: Time out. The President is not just authorized to do this, the President is not just encouraged to do this, the President is mandated to take every action he can, which clearly would include denying all discretionary permits to push that curve, that green curve, back down to 450 or as low as it can go.

So what does that mean? That means carbon credits are meaningless if you need a discretionary permit for certain economic activity or for any new economic project. This is a very important aspect of the bill. Again, it is in Kerry-Boxer. Exactly the same language is also in Waxman-Markey as it passed the full House of Representatives.

This gives an enormous mandate to the President of the United States to absolutely take action once those global greenhouse gas emissions get above 450. So my message is clear, particularly to the companies that have supported this legislation because they have been assured certain carbon credits.

The message is clear: Carbon credits will not matter if any of your activities, if any of your new projects or proposed projects requires any discretionary Federal permit. To deliver that message, crystal clear, to those companies, in particular, tomorrow I am writing to a significant leading handful of those companies that so far have supported the legislation, pointing out the enormous impact of those sections, 705 and 707, and asking them to focus very clearly on what it means to their projects, to their economic activity, to their bottom line because, again, carbon credits will not matter once this enormous mandate and authority of the President goes into effect.

The PRESIDING OFFICER. The time is 12:35 p.m.

Mr. VITTER. I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. UDALL of Colorado).

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

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on the bill and urge its quick and prompt adoption.

In doing so, I wish to pay tribute to a fallen warrior from the State of Maryland who died in the terrible massacre at Fort Hood. I wish to express my condolences to all families who suffered the loss of life or were injured at that terrible shooting. It was a terrible tragedy for them at Fort Hood, for their families, and for our country.

We know the 13 families are now dealing with the loss of loved ones, and 30 other families have members who were wounded in the attack. We in Maryland suffered a casualty as well. I am here today to pay my respects and express my condolences to the family of LTC Juanita Warman, a wonderful woman who moved to Maryland 5 years ago as a call to duty. She had a 25-year military career in both the Active and Reserve Army. She devoted her career to serving fellow soldiers.

Lieutenant Colonel Warman was a nurse practitioner. Her field was in psychiatric and emotional counseling. She served in other parts of the country and came as a call to duty to Perry Point Veterans Hospital in Maryland. There she served to help our wounded warriors. Perry Point is the designated facility in Maryland to help wounded warriors, those who bear the permanent injury of war, who bear the wounds of either emotional or mental illness. She was absolutely on their side. She was viewed as a consummate professional by her colleagues and by the people who relied upon her for her talented counseling.

A master's degree in nursing, she was an expert in posttraumatic stress as well as traumatic brain injury. She devoted her career to helping these soldiers as she did her family. Her family saw her as a mother to two, a grandmother to eight, and two stepchildren as well. She was raised in a military family. She understood the bonds between fellow soldiers. She also volunteered as part of a program called the Maryland Yellow Ribbon Program to help soldiers reintegrate into the community. She developed guidelines to dispel myths about PTSD. She particularly would reach out to women soldiers who had unique challenges, both in their own life and the lives of their families.

She provided mental health counseling to soldiers coming out of a war zone trying to come into a family zone so that family zone didn't become a battleground as well. She also was well known for her work at Ramstein Hospital. She traveled there in many instances to help our soldiers make the transition from battlefield to the hospital in Germany to back here. She received an Army commendation medal for her meritorious service at Ramstein. She was a great soldier.

She was at Fort Hood less than 24 hours. She was getting ready to deploy to Iraq. She was ready to go, though she was sad to go. From her last post-

ing on Facebook, she knew she would be away for the holidays from her beloved husband Philip, her children, grandchildren, and stepchildren. But there were no stepchildren; they were all her children to Lieutenant Colonel Warman.

We are going to miss her. Her family is going to miss her. We are going to miss her in Maryland because she was an active member of the community. The Army is going to miss her. Most of all, those who need mental health counseling will miss her. We are so sorry this happened to her.

There will be those who will want to wear yellow ribbons and black armbands and have flags at half mast. And we should. We should do all the symbols to honor what happened to those who fell at Fort Hood. But the best way to honor the people in the massacre at Fort Hood, to honor the people who have been wounded in Iraq or Afghanistan is to pass this legislation.

The legislation pending is the Military Construction and VA health bill. There is so much good in this bill that will provide medical services to those who bear the permanent and sometimes invisible wounds of war. While we want to salute those who fell at Fort Hood and on the battlegrounds of Iraq and Afghanistan, the way we honor their memory and their service, the service of all who have been abroad, is by making sure when they come home, they get the medical and social services they need, a bridge to get them back into civilian life.

Again, my condolences to the Warman family and to all who fell, but most of all I thank everybody for their service. Let's thank them not only with words but with deeds. Let's pass this bill.

I yield the floor.

AMENDMENT NO. 2740 TO AMENDMENT NO. 2730

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. AKAKA. I call up amendment No. 2740 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2740.

The amendment is as follows:

(Purpose: To extend the authority for a regional office of the Department of Veterans Affairs in the Republic of the Philippines)

On page 52, after line 21, add the following: SEC. 229. Section 315(b) of title 38, United States Code, is amended by striking "December 31, 2009" and inserting "December 31, 2010".

Mr. AKAKA. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this week, thousands of families across our country are stopping to honor the

memory of those who have served for us because of Veterans Day tomorrow and to thank them for all they have done to protect and defend our country. It is a time when many American families are watching what is unfolding at Fort Hood this week. It is a time in my State where today we are having a memorial service at Fort Lewis honoring seven soldiers who lost their lives a few days ago in Afghanistan. Our hearts and condolences go out to those families who have suffered the ultimate loss, especially at this time when everyone is recognizing the tremendous sacrifice so many people have given.

As a Senator from a State with a very large military presence and communities that are heavily populated with the men and women who dedicate their lives to protecting our country, I was particularly saddened by the senseless violence that ripped through our Nation's largest active-duty base last Thursday. As anyone who has ever spent time on a U.S. military base knows well, those are some of our most safe and compassionate communities in the entire country. They are places where a young family plants roots and raises a child and establishes a life for themselves. They are a place where military spouses form bonds that they carry with them throughout their deployments. They are a place where neighbors always lend a hand to those in need. I have seen that firsthand at places such as Fort Lewis Army Base in Tacoma and Fairchild Air Force Base in Spokane. I know the pain of the loss of those 13 public servants extends to everyone at Fort Hood and to the U.S. military community as a whole.

I wish to make special mention today of Michael Grant Cahill who came from Spokane, WA. He was the lone civilian killed in that attack. He was a physician's assistant who worked in rural clinics and veterans hospitals, places where our veterans desperately need care and we desperately need workers. At the time of his death, he was only 4 years from retirement. In an interview with the Spokesman-Review newspaper a day after her father was killed, Cahill's daughter Keely told the paper that her dad was "a wonderful person, that he loved his job and loved working with people and helping them with their physical needs."

My thoughts and prayers are with Keely and the family members of all those who died or were wounded and the U.S. military families who are still reeling from this tragedy.

To the families who have lost soldiers in Iraq and Afghanistan recently, especially those having military services today in my home State of Washington at Fort Lewis as well as many others, I want them to know that we know we are their voice and we need to stand up for them. As we all know, Veterans Day tomorrow is a day we celebrate and honor the great sacrifices all veterans have made. It is because of their sacrifice that we can safely enjoy

the freedoms our country offers. It is because of their unmatched commitment that America can remain a beacon for democracy and freedom throughout the world.

Growing up I saw firsthand the many ways military service can affect both veterans and their families. My father served in World War II. He was among the first soldiers to land in Okinawa. He came home as a disabled veteran and was awarded the Purple Heart. Like many soldiers of my dad's generation, he didn't talk about his experiences during the war. In fact, we only learned about what he did and his heroism when he passed away, and we found his journals and read them. I think that experience offers a larger lesson about veterans in general. They are very reluctant to call attention to their service, and they are reluctant to ask for help. That is why we have to publicly recognize their sacrifices and contributions. It is up to all of us to make sure they get the recognition they have earned and, by the way, not only on Veterans Day. Our veterans held up their end of the deal. We have to hold up ours.

Veterans Day must not only be a day of remembrance, it must also be a day of reflection. It is a chance for all of us to reflect on our own responsibilities to our Nation's veterans. It is a chance to look at what we can do to make sure we are keeping the promise we made to our men and women when they signed up to serve. It is a chance to take stock of where care and benefits have fallen short, where new needs are emerging, and how we can make it easier for veterans to get the care and benefits they deserve.

It is appropriate that on the eve of this very important day, Veterans Day, we are working to pass a bill that takes a hard look at many of the challenges facing veterans and their families. It is a bill that is the product of collaboration with veterans, their families, caregivers, and scores of veterans service organizations.

As a member of the Veterans' Affairs Committee, I am aware we have a lot of work to do for the men and women who serve our country. Not only must we continually strive to keep up our commitment to veterans from all wars, but we also have to respond to the new and different issues facing veterans who are returning from Iraq and Afghanistan, wars that are being fought under conditions that are very different from those of the past. That is precisely what the caregiver and veterans omnibus health bill seeks to do.

One of the changes we have seen in our veterans population recently is the growing number of women veterans who are seeking care at the VA. Today more women are serving in the military than ever before. Over the next 5 years, the amount of women seeking care at the VA is expected to double. Not only are women answering the call to serve at unprecedented levels, they are also often serving in a very dif-

ferent capacity. In Iraq and Afghanistan, we have seen wars that don't have traditional front lines. All of our servicemembers, including women, find themselves on the front lines. Whether it is working at a checkpoint or helping to search and clear neighborhoods or supporting supply convoys, women servicemembers face many of the same risks from IEDs and ambushes as their male counterparts. But while the nature of their service has changed in these conflicts, the VA has been very slow to change the nature of the care they provide when these women return home.

Today at the VA there is an insufficient number of doctors and staff with specific training and experience in women's health issues. Even the VA's own internal studies have shown that women veterans are underserved. That is why we included in the veterans health bill a bill I have introduced and worked on that will enable the VA to better understand and ultimately treat the unique needs of female veterans. The bill authorizes a number of new programs and studies, including a comprehensive look at the barriers women currently face when they try to get care at the VA. It includes a study of women who have served in Iraq and Afghanistan to assess how those conflicts affected their health. It includes a requirement that the VA implement a program to train and educate and certify VA mental health professionals to care for women with sexual trauma and a pilot program that provides childcare to women veterans who seek mental health care services at the VA because, as we know, women will choose to take care of their kids before they take care of themselves. I believe we need to provide that childcare so those women get the care they need.

This bill I am talking about is the result of many discussions with women veterans on the unique and very personal problems they face when they return home from war. Oftentimes, when I hold veterans meetings in my State, the men who are there speak up and talk to me about some of the barriers they face, and it is not until the meeting closes and everybody is going out the door that the women come up to me and speak silently and as quietly as they can in my ear about the barriers they face. Some of these women have told me they did not even view themselves as a veteran and therefore did not even think of seeking care at the VA. Oftentimes, they have told me they lack privacy at their local VA or they felt intimidated when they walked in the doors. They have told me about being forced into a caregiving role that prevented them from even asking for care because they had to struggle to find a babysitter in order to keep an appointment. They should not have to speak quietly into my ear at the end of a meeting. They have served our country honorably. We should move this women veterans health bill so they get the care they support.

To me and to the bipartisan group of Senators who cosponsored the women veterans bill, these barriers to care they face are unacceptable. So as we now have more women transitioning back home and stepping back into their careers and their lives as mothers and wives, this VA has to be there for them. So this bill in the omnibus bill in front of us will help the VA to modernize to meet those needs.

Another way this bill meets the changing needs of our veterans is in the area of assisting caregivers in the home.

As we have seen in Iraq and Afghanistan, medical advances have helped save the lives of many of our servicemembers who in previous conflicts would have perished from the severity of their wounds. But these medical miracles mean that many of those who have been catastrophically wounded now need round-the-clock care when they come home.

In many of our rural areas, where access to health care services is very limited, the burden of providing that care often—and most often—falls on the family of that severely injured veteran. For those family members who are providing care to their loved ones, it now becomes a full-time job for them. They often, I have been told, have to quit their current jobs—forfeiting not only their source of income but also their own health care insurance at the same time. It is a sacrifice that is far too great, especially for families who have already sacrificed so much.

So this underlying omnibus bill we are trying to bring forward provides caregivers with health care and counseling and support and, importantly, a stipend so they can take care of their loved ones when they come home.

This bill also takes steps to provide dental insurance to veterans and survivors and their dependents and improves mental health care services and eases the transition from Active Duty to civilian life. It expands outreach and technology so we can provide better care for veterans in our rural areas. And it initiates three programs to address homelessness among veterans, which is especially troubling during these economic times.

This is a bill that is supported by numerous veterans service organizations and the VA. It is supported by many leading medical groups. It was passed in our Senate Veterans' Affairs Committee with broad bipartisan support after hearings with health care experts and VA officials and veterans and, importantly, their families.

Like other omnibus veterans health care bills before it—bills that have often been passed on this floor with overwhelming support—it puts veterans before politics. It is a bipartisan bill designed to move swiftly so its programs can be implemented swiftly. It is a bipartisan bill that is designed to make sure our veterans do not become political pawns. Yet here we are today facing delays.

The fact that this bill is now being held hostage by ideology is both a disservice to our veterans and a troubling precedent for our future efforts to meet their needs. Providing for our veterans used to be an area where political affiliation fell by the wayside. But today, because of an effort to score political points on issues that are far removed from the struggles of families who are delivering care to their loved ones with injuries or women veterans who are returning home to an unprepared VA or the mounting toll of this economy on homeless veterans, we are faced with delay on the floor. For our Nation's veterans, it is a delay they cannot afford. Our aging veterans and the brave men and women who are currently serving in Iraq and Afghanistan need our help now. And how we treat them at this critical time will send a signal to a generation of young people who might now be sitting at home considering whether they want to go into the military.

It is imperative that we keep our promise to our veterans—the same promise Abraham Lincoln made to America's veterans 140 years ago—"to care for the veteran who has borne the battle, his widow and his orphan."

Our veterans have waited long enough for many of the improvements in this bill. We should not ask them to wait any longer. So I urge our colleague to withdraw his objection to consideration of this bill and to let us move it quickly through the Senate so the families and the servicemembers who are waiting for its passage—whether it is a family taking care of a veteran who has been seriously injured or a woman veteran or anyone who has served our country—can know we stand behind them when they serve our country.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WEBB. Mr. President, may I ask the Chair, are we in morning business?

The PRESIDING OFFICER. The Senate is considering the appropriations bill.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### FRANK BUCKLES WORLD WAR I MEMORIAL ACT

Mr. WEBB. Mr. President, I actually came to the floor to join with Senator THUNE and to congratulate him on the effort he has undertaken to rededicate a site in Washington, DC, to become the National World War I Memorial. I am an original cosponsor on that legis-

lation, and apparently he is tied up in some sort of meeting right now, so I will just precede him and give my thoughts and my support for the legislation he has introduced.

#### MARINE CORPS 234TH BIRTHDAY

Before I do that, Mr. President, I would like to point out that this is November 10, and marines around the world stop on this day every year—no matter where they are, no matter what they are doing—to commemorate what we call the Marine Corps birthday, which is the celebration of the initial recruitment and organization of the Marine Corps, at a place called Tun Tavern in Philadelphia in 1775.

This is the 234th anniversary of the founding of the Marine Corps. As one who has proudly served in the U.S. Marines, who has a brother who was a marine, a son who is a marine, and a son-in-law—three of us infantry combat veterans—I would like to extend my congratulations to all of those who served in the Marine Corps in the past and to those who are doing such a fine and difficult job today all around the world. This is the finest fighting organization in the world, and I am very proud to have been a part of it at one point in my life.

We all wish success and the best to our marines.

#### FRANK BUCKLES WORLD WAR I MEMORIAL ACT

Mr. President, tomorrow is Veterans Day, where we will stop as a nation with a national holiday to commemorate the service of all of those who have served our country throughout our history and to thank the 23.4 million veterans in this country for the service they have given in war and in peace, extending all the way back, in terms of living veterans, to World War I, which I am going to talk about in a minute. I think we have one surviving veteran from World War I still alive. We have some 2.6 million World War II veterans who are still with us. And we want to, as so many people have pointed out today, do our best to take care of those who have served our country, to honor that service.

With respect to the legislation Senator THUNE put together and on which I am an original cosponsor, we should stop today and think about those who served in World War I. I think the memorial he is proposing has three important benefits to our country. The first is that it will help us remember a war that I think is not really appropriately remembered in our own history—the importance of it, the incredible carnage that took place, the way it changed the face of the civilized world. The second is to think about our own World War I veterans and the struggles they went through and in terms of putting together the right sort of care and benefits for those who followed them. The third is to talk about the site itself that Senator THUNE has done such a fine job in discovering and proposing.

We in this country did not get involved in World War I until the very

end of the war. I think that is one of the reasons, perhaps, we do not consider in enough detail how much of an impact that war had on the civilized world as it was then known, on the relationships particularly among the European powers, and also the place of the United States in world affairs.

These numbers are rough, but they are fairly close; I think they are accurate enough that I can use them today: In World War I, the German Army lost 1.8 million soldiers, dead; the French lost 1.7 million soldiers, dead; the British Empire lost nearly a million soldiers, dead. The impact on those cultures and on the economy and the health of the communities was enormous. We came in at the end of the war. The United States lost 55,000 soldiers on the battlefield in less than a year. We lost another 55,000 to the Asian flu epidemic that swept through the world and had a very strong impact on those who were serving in the military. We lost 110,000 people in uniform during that war.

The impact it had on the relationships among European countries was enormous, and it is much more fully understood in other countries than it is here in the United States. The Russian Revolution occurred during World War I. The way we negotiated the settlement after World War I brought about, within a short period of time, the rise of fascism and, eventually, of nazism in Germany. The British Empire began to spend itself down in a way that finally had a fairly conclusive impact after the additional carnage of World War II.

All of those things impacted this country in a way that pushed us to the forefront in many ways in terms of our place in the world because of the exhaustion that had happened in these other societies.

Our World War I veterans had a very difficult time in a transitional period in terms of how we define veterans' benefits themselves. Previous to World War I, when soldiers left the military, they got what was called mustering-out pay, and when they reached a certain age, no matter what their service was in terms of disability or those sorts of things, they got a pension, an automatic pension, all the way through our history until World War I. World War I veterans didn't get either of those.

Some of us who are fond of looking at American history in the 1930s will remember the Veterans Bonus March, where World War I veterans literally camped out here in our Nation's Capital, saying they needed to get the same kind of bonuses that those who had preceded them received. They didn't receive that bonus. They did fight hard and long and were able to bring about the creation of the VA medical system, but they didn't get a GI bill; they didn't get so many things the other veterans who followed them received. Yet when I was much younger and working as a committee counsel in the House on veterans issues, we were

still seeing the World War I veterans. They felt a stewardship to those who served in World War II. They helped push through the GI bill. They helped push through compensation packages that were unheard of before. We owe our World War I veterans a great deal, not simply for what they did on the battlefield but for how they helped transform veterans law into today.

The site Senator THUNE proposed—and with which I agree—for a World War I memorial, I believe, is perfectly placed. We are all very sensitive in terms of putting additional memorials and monuments on The National Mall. I was involved in the formulation stages of the Vietnam Veterans Memorial on The Mall. That was one of the big push-backs in Congress, as well as from the National Capital Planning Commission and other entities; that we don't want to put so many memorials on The Mall that you impact the free flow of tourists and people visiting that area.

Right now, here is what we have on The Mall. I wish I had a diagram, but we have the Vietnam Veterans Memorial, just down from the Lincoln Memorial, and to its south we have the Korean War Memorial and further to the east, toward the Washington Monument, we have the World War II Memorial. Almost in a diagrammatic diamond there is an area presently where the District of Columbia was allowed to place a memorial to those who had served in World War I and were residents of the District of Columbia.

What Senator THUNE has proposed, and what I strongly also support, is to take this existing memorial, which is in some disrepair at the moment, quite frankly—I have been by there a number of times—and to upgrade it so it would become the National World War I Memorial, so we would have on The Mall, in a very tasteful way, four sites dedicated to the four major wars our country was involved in, in the 20th century. I can't think of a better way right now for us to recommend and remember the service of those who served in World War I and for the rest of the people in this country also to be encouraged to remember the impact that war had and the sacrifices the people who served in that war made.

So I rise, as I mentioned earlier, to commend the Senator from South Dakota for his recommendation, as well as, as I said, to remember the Marine Corps today and to remember our veterans tomorrow.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I wish to join my colleague from Virginia in support of this legislation and I thank him for his leadership on this and on so many of the other issues and initiatives that recognize the service and sacrifice of America's veterans. He has been a leader on that, and I appreciate his leadership on this issue because I think, as we prepare to observe Vet-

erans Day tomorrow, it is important to recognize those veterans who served throughout our Nation's history. Along with Senator ROCKEFELLER, Senator WEBB and I have introduced legislation that is known as the Frank Buckles World War I Memorial Act, which recognizes, once and for all, those veterans who served their country during World War I.

Frank Buckles's World War I Memorial Act would rededicate the existing District of Columbia War Memorial as the National and District of Columbia World War I Memorial on The National Mall in Washington, DC. The act is named for Frank Buckles of West Virginia who, at 108 years of age, is the last surviving American World War I veteran.

I appreciate the strong support of Senator ROCKEFELLER who, of course, has Frank Buckles as a constituent, and I appreciate also the strong support of Senator WEBB for this bill. Senator BURR, the ranking member of the Committee on Veterans' Affairs, is also a cosponsor, so it has strong and meaningful support on both sides of the aisle.

As I said, I think it is very fitting to speak on a bill seeking to establish a national World War I memorial because, as many know, Veterans Day was initially known as Armistice Day, which marked the end of World War I on November 11 of 1918.

After America's role in World War II and the Korean war, Congress passed legislation changing Armistice Day to Veterans Day, and President Eisenhower signed the change into law on June 1, 1954. From initially being a day to honor World War I veterans, November 11 became a day to honor all veterans.

We are rapidly nearing a century since the beginning of World War I, which began for most of the world in July of 1914. While World War I has become a distant, fading memory of another era, it still profoundly shapes the world in which we live.

As Oxford historian Hew Strachan concludes in his history of the first World War, the war "forced a reluctant United States onto the world stage" and began to "lay the seeds for the conflict in the Middle East. In short, it shaped not just Europe but the world in the 20th century."

World War I began for the United States when it entered the war in April of 1917 on the western front because of German submarine attacks on United States shipping and because President Woodrow Wilson concluded that the United States had to wage war if it was to shape the future of international relations, as Hew Strachan states in his history of World War I.

The United States was in World War I for only 18 months. Its Army grew from only 100,000 men to 4 million, with 2 million men sent overseas, 1½ million of whom arrived in Europe in the last 6 months of the war. Forty-two American divisions were in the field by November 11 in 1918, and 29 of them had

seen action. Over 100,000 American soldiers died in World War I.

Frank Buckles is the last surviving American World War I veteran. He was born in Missouri and currently lives in West Virginia. He joined the Army at 16 and went to Europe to fight in 1917, driving ambulances and motorcycles for a casualty detachment. He was discharged from the Army in 1919. Mr. Buckles also was extraordinarily affected by World War II. He was in Manila as a civilian on business in December of 1941, when the Japanese attacked, and was captured by the Japanese and spent 4 years in a Japanese prison camp in the Philippines. I strongly urge everyone to track down his interview, where he talks about his war experiences in both World War I and World War II. Transcripts and videos of Frank Buckles' interview can be found on the Library of Congress's Veterans History Project Web site. The Veterans History Project is a great initiative. I have taken advantage of the Veterans History Project myself, to interview my dad about his experiences as a pilot in World War II.

Mr. Buckles is also the honorary chairman of the World War I Memorial Foundation, which is seeking refurbishment of the District of Columbia War Memorial and its establishment as the National World War I Memorial on The National Mall. The Frank Buckles World War I Memorial Act will help to make this vision a reality.

I had the opportunity to meet Mr. Buckles last year. He is certainly an extraordinary individual. Mr. Buckles also traveled to South Dakota in July of 2008 to be honored at Mount Rushmore during their magnificent Fourth of July celebration. It is a great honor for me to support this bill that carries his name.

I wish to briefly describe what the bill does. In 1924, Congress authorized the construction of a war memorial on The National Mall near the Lincoln Memorial to honor the 499 District of Columbia residents who died in World War I. Funded by private donations from organizations and individuals, the memorial was dedicated by President Herbert Hoover on November 11, 1931. The Frank Buckles World War I Memorial Act would rededicate the District of Columbia Memorial as the National and District of Columbia World War I Memorial. The legislation would also authorize the nonprofit World War I Memorial Foundation to make repairs and improvements to the existing memorial, as well as install new sculptures to underscore the sacrifice of over 4 million Americans who served in World War I.

The bill would not require any taxpayer dollars because the World War I Memorial Foundation would raise the necessary funds through private donations.

All the major wars our Nation has fought in the 20th century are memorialized on The National Mall. Rededicating the District of Columbia World

War I Memorial as the National and District of Columbia World War I Memorial fits the narrative of The Mall, with its wonderful memorials to World War II, the Korean war, and the Vietnam war. I think it only makes sense to rededicate a memorial to this 20th century war that established our Nation's path to superpower status among the community of nations.

This Veterans Day will mark the 91st anniversary of the end of World War I. I can think of no better way to honor Mr. Buckles and his departed comrades than by quickly passing this bill to establish a national World War I memorial. This bill would provide timely but long overdue recognition of all World War I veterans in our Nation's capital. I look forward to working with my colleagues to pass this bill as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, let me join the Presiding Officer, the Senator from Virginia, Mr. WEBB, and Senator THUNE in endorsing the concept of this World War I memorial. I am a student—a minor, amateur student of history, and I realize the dramatic impact that war had on the United States. It is amazing to know there is still a surviving veteran from that great conflict.

When I first got involved in politics, I would go to rural counties in Illinois, and there would be a flatbed truck with five or six World War I vets on it. Of course, they are gone. They were a great generation that sacrificed and engaged in a war so far away at such great peril. It is fitting that there be an update of that monument. I have walked by it. In its day, I am sure it was a glorious monument, but it needs attention today for it to be a fitting tribute to the men and women who served our Nation during that great conflict. I heartily support it. I wish to thank Senator JOHNSON, the chairman of this appropriations subcommittee, for entertaining this as part of his legislation.

I will tell my colleagues we had a press conference today on another issue involving veterans. It is one that means a lot to me, personally, because it involves a family whom I have become very close to. It is the Edmondson family. They live in North Carolina. I met them by chance when Eric Edmondson, who was a veteran of the war in Iraq, was being treated at a hospital in Chicago. Eric was a victim of a traumatic brain injury and in surgery after his injury there was deprivation of oxygen and he has become a quadriplegic and cannot speak. When I first met him 2 years ago, he was 27 years old, a husband and father of a little baby girl. I met his father Ed and his mother Marybeth. They were people who came to a hearing I held on veterans health care. They talked

about the journey Eric had made from Iraq to the United States and then to Chicago to the Rehabilitation Institute of Chicago.

They had all but given up on Eric because of his injuries and, at one point, they told his father he would have to be admitted to a nursing home at the age of 27 because there was nothing they could do. It appeared he was headed in that direction until his father said: No, I won't do this to my son.

What followed has been a heroic story—heroism matching, I believe, the courage his son showed in volunteering to serve our country and risk his life—because Eric's father, Ed, started his own personal effort to find the very best place in America for Eric's treatment. He came up with the Rehab Institute of Chicago.

I went to visit Eric at the Rehab Institute, when he was there 2 years ago. When I walked into the room, he was sitting in a wheelchair with a big smile. He cannot speak. We talked a little bit about his treatment there. They invited me to come back. I came back a few weeks later, about 6 weeks later, and they said Eric had a gift for me. I didn't know what they meant by that. His mother and dad each grabbed an elbow, stood him up, and Eric took four steps out of his wheelchair. It was an amazing moment. There wasn't a dry eye in that hospital room that day; that he had made the progress where he could literally take four steps. His father said he would be checking out of the Rehab Institute in Chicago a few weeks after that and invited me to come because, he said: Eric is going to put on his dress uniform and he is going to walk out the front door of this hospital.

I said: I will be there. So was the mayor of Chicago and every other politician who heard about it, and every TV camera in Chicago was there to see Eric make it out the front door, with the help of two attendants by his side. There he was with a big smile on his face in his dress uniform.

Well, Eric returned to North Carolina, and because of the amazing generosity of a lot of local people, they literally built him and his family a home that was wheelchair accessible. Because of that generosity, he had a place to live but still with a very young wife and a baby girl.

His mother and father decided they would quit their jobs and move in with their son and become full-time caregivers to Eric Edmondson, this veteran of the Iraq war, and that is what happened. His father basically cashed in all his savings, sold his home, sold his business, took what he had and dedicated himself to his son—totally dedicated himself to his son.

Over the period of time that Ed and Marybeth were taking care of Eric, they lost their health insurance. But Eric was still being cared for by the veterans system. I went down to visit them in their home. It was clear they spent every minute of every day caring for their son.

Mr. Edmondson asked me to take a look at a bill that Senator Hillary Clinton had introduced called the Caregivers Assistance Act which said the

Veterans' Administration should start off on a demonstration basis to take a look at caregivers, such as the Edmondson family, and give them a helping hand. I asked Senator Clinton as she was leaving the Senate and heading for the State Department if I could take over the bill, and she said I could.

I introduced it in this session of Congress. Senator DANNY AKAKA, the chairman of the Senate Veterans' Affairs Committee, read the bill and called me and said: I want to move this bill. I want to make it a major piece of legislation to help veterans. That bill was considered by the Veterans' Affairs Committee and was reported out unanimously.

What the bill would do is create a program in the Veterans' Administration for caregivers, such as Ed and Marybeth Edmondson. What it would give them is training so they would know how to take care of their son, a disabled veteran—training in basic first aid and health care.

Second, it would provide them with a monthly stipend which the Veterans' Administration would determine is appropriate so they would have some help in getting by with the expenses of keeping their family together and helping their veteran.

It would also give them a respite for a couple weeks so at least they would be able to have some time off and others would come in and take care of the veteran while they went off and recharged their batteries and came back and dedicated themselves again to the veteran.

It would provide basic health insurance for caregivers as well because that is one of the first things they lose when they give up a job or business to take on this responsibility.

This is just one family's story from our recent war that still goes on. There are others. I met another one in Chicago on Sunday, Aimee Zmysly, who literally married her husband after he came home and became disabled from an operation at a veterans hospital. This 23-year-old woman married this young man who had no family and now is his full-time personal care attendant. Because of it, he can stay home; he is not in a formal facility.

The cost of his care is a fraction of what it would be otherwise, and he has the dignity of being where he wants to be—with someone who loves him very much, who spends every moment of every day helping him.

This is the right thing to do. This caregivers bill is the appropriate thing to do. For at least 6,000 veterans across America, there is a personal family caregiver who makes the difference every day in their lives, a person who will be there for them every second they need them. You cannot buy that kind of help. Even the best medical professionals could not provide the love that comes with that care.

I think the Veterans' Administration, certainly the Senate Veterans

Affairs Committee, recognizes that. That is why this legislation is currently on the calendar of the Senate. It has been here now for over 6 weeks. I had hoped we could pass this before this Veterans Day, tomorrow. But, unfortunately, it is being held by one Senator.

The Senator and I debated it on the floor yesterday. He said he doesn't want us to even consider this bill. We cannot even debate this bill. He would not even offer an amendment to this bill. He wants to stop this bill, he said, because I haven't figured out a way to pay these caregivers.

We reminded him that during the course of this war, we waged this war and paid for it with debt. The former administration did not pay for any of the war expenses. They added them to the debt of the United States. That Senator and others—myself included—voted to continue that war, understanding that it was not being paid for.

Now when it comes to caring for the veterans and the casualties of that war, we have a strict accounting standard, a deficit standard that was not applied to waging a war. Why is it the cost of the war—the bullets and the bombs—does not have to be paid for, but when it comes to the care of our veterans who come home, we have this strict accounting; we cannot consider helping them unless there is some specific way of demonstrating how to pay for it?

I believe we will pay for it, I believe we should have it, and I believe this Senator for veterans in 2009 should lift his hold on this bill and let us consider it on the Senate floor. Let us have this debate. Let us determine who will be covered by it and what kind of coverage they will have.

These caregivers will not quit on us because they will not quit on their veteran. Why should we quit on them? Why should we say we are not going to provide them help when every moment of every day they are helping a man or woman who literally risked their lives for our country and paid a heavy price in doing so?

I also have two other amendments. One of my amendments now pending before the Senate on this appropriations bill is the capstone of a project that I have been working on for a long time.

It seems that right outside of Chicago in Lake County, north of Chicago, is a great veterans hospital known as the North Chicago Veterans Hospital. It is modern. It serves thousands of veterans in the region. It was threatened with closure just a couple years ago, a few years ago now.

Then, coincidentally, not far away, is the Great Lakes Naval Training Center, the training station for all of our new recruits in the U.S. Navy. There is a hospital in the center of the Great Lakes naval training base. It turned out that this hospital needed to be modernized because all of these recruits who once were trained in places

such as California and Florida are now coming to the Great Lakes Naval Training Center off Lake Michigan.

I talked with them about combining these two facilities. Can we bring together a Navy hospital and a veterans hospital, put them in one facility and coordinate their activities so they both have the very best?

After years—literally years—of effort, it is going to happen. I thank Senator CARL LEVIN and so many others for making it a reality. This was a dream that many of us had, and it is on its way to completion.

The amendment I have offered is one that will name this first-of-its-kind medical facility in North Chicago the Captain James Lovell Federal Health Care Center. I think this is a fitting name for this facility.

CAPT James Lovell was one of the first humans to travel in space. From his humble beginnings in Cleveland, OH, he loved flight. In 1944, a 16-year-old Lovell and his friends built a little rocket that shot up 80 feet in the air and exploded. But it hooked him. He wanted to be a pilot.

He went on to graduate from the U.S. Naval Academy in 1952 where he wrote his senior thesis on the feasibility of sending a rocket into space. He married his high school sweetheart, Marilyn Gerlach, the day he graduated. He went on to become a test pilot for the Navy. In 1962, NASA chose him as one of our first astronauts.

He distinguished himself among his space flight colleagues, including Neil Armstrong, Buzz Aldrin, and John Glenn. He will be remembered for launching America into the new age of space. He had success as an astronaut, serving on the early *Gemini 7* and *Gemini 12* missions. In December 1968, he circled the Moon as a member of the *Apollo 8* mission.

Today, the iconic image of the Earth—a world of greens and blues hovering in the vastness of space—is a common sight. But in 1968, the *Apollo 8* brought this image of Earth to the people of the world in a way never before seen, in Captain Lovell's own words, "an oasis in the vastness of space."

Of all his accomplishments in space, Lovell is best known as the commander of the *Apollo 13* mission. In 1970, Lovell and fellow astronauts, Fred Haise and John Swigert, launched what would become one of the most storied flights in NASA history.

The *Apollo 13* mission started as the third attempt at a lunar landing by a manned spacecraft. It ended, in the words of author W. David Compton, as "a brilliant demonstration of the human spirit triumphing under almost unbearable stress."

The crew's mission started with little difficulty, but a few days into the flight, one of the fuel cells on the *Apollo 13* short-circuited, causing a fire that spread to the oxygen tanks.

Lovell radioed back to mission control:

Houston, we've had a problem.

He knew that with the oxygen tanks and the fuel cells compromised, their lunar landing could not be completed.

*Apollo 13* had been on a lunar landing course. NASA made a risky decision. It set the spacecraft on a trajectory around the Moon. NASA engineers hoped the Moon's gravitational pull would whip Lovell and his colleagues back toward Earth with the speed they needed to return.

For days the crew suffered from cold, a lack of oxygen, and little nourishment. The world turned its attention to the three American astronauts and to our government's effort to save them and bring them home.

Seventy-two hours after Lovell and his crew had been in space, the *Apollo 13* shot around the far side of the Moon and lost contact with mission control. But NASA's bet had paid off and the spacecraft headed home for a successful splash landing in the Pacific.

With the safe return of *Apollo 13*, Captain Lovell became a great American hero and a great story in American history. He remained with NASA until he retired in 1973. During his 11 years as an astronaut, he spent more than 715 hours in space.

Today, I am proud to say, he lives in my home State in Lake Forest, IL, just a few minutes from this new health care facility.

The story of *Apollo 13* has been told so many times as a testament to human ingenuity in harrowing circumstances. Captain Lovell's experience reminds us of our excitement in exploring the final frontier of space.

With this amendment, which I hope the committee will accept, and I hope the Senate will accept, his name will embrace a new effort, not as glamorous and exciting as space travel, but an effort that honors his legacy, providing quality health care for Navy recruits, veterans, and military families.

The second amendment which I have pending is one which will allow rural VA centers to be able to offer incentives for recruitment and retention of medical personnel. A little over 2 years ago, at the VA center in Marion, IL, we had a tragic situation where nine veterans lost their lives in surgery. We found later it was the result of mismanagement and medical malpractice. At that point, they closed down the surgical facilities in the Marion VA and started hiring new people to run the institution.

I am sorry to tell you that it still is not where it needs to be. Progress has been made. A recent hygiene report has given us pause. We realize more has to be done. We still are finding there is a difficulty in attracting the kinds of medical professionals we need at this rural VA facility. This is not the only facility facing it. Many others have as well.

What we are doing is taking existing funds in the VA and allowing them to dedicate a small portion to recruit and retain medical professionals. This is

the least we can do to make sure we provide our veterans the very best.

I ask unanimous consent that Senators ROCKEFELLER and TESTER be added as cosponsors of my amendment, which I believe is amendment No. 2760.

The PRESIDING OFFICER (Mr. WEBB). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I have learned the hard way how important it is for rural veterans' hospitals to attract good doctors and administrators.

The VA Medical Center in Marion, IL, has had significant problems with quality management and patient safety.

In an effort to help improve quality at this rural medical center, I have spoken with two VA Secretaries, and one acting Secretary, about these challenges and potential responses. I have also corresponded with numerous VA officials, and met with the employees on the frontline of care at Marion.

One thing I have taken away from all these conversations is how important it is to have the best possible providers and administrators in our veterans' medical facilities. And that is easier for Hines Medical Center in Chicago than it is for Marion and other rural health centers throughout this country.

Many rural counties have the highest concentrations of veterans according to the 2000 census. The VA estimates that 37 percent of all veterans reside in rural areas.

In 2007, we were horrified to learn that nine patients at Marion Veterans Affairs Medical Center had died in what turned out to be a terrible lapse in quality management and accountability.

The hospital administrator, the chief surgeon, and others were relieved of their duties, and the hospital stopped offering in-patient surgeries.

Since then, we have been told time and again, that the VA has addressed quality management structures there and has been trying to restart a full continuum of care at Marion.

Last week, we found out that these efforts have not been enough. The VA's IG reported that patient safety and quality management at the Marion VAMC failed again on several measures.

Many are repeats from what was found at Marion 2 years ago. It is clear that Marion VAMC leadership did not right the ship.

Last week, members of the Illinois congressional delegation met with Secretary Shinseki about this most recent report on Marion.

The Secretary talked about how important quality leadership is at the local level and how hard it is to recruit and retain talented, high-performing administrators and doctors to rural facilities.

This is not the first time we have heard this. In fact, the surgical program at the hospital has been shut down for two years because we don't have the personnel to restart it.

Recruitment and retention of healthcare professionals to serve rural populations is a nationwide problem. It is not limited to the VA. And it is not limited to Illinois.

In February, the Director of VA's Office of Rural Health testified that, "greater travel distances and financial barriers to access can negatively impact care coordination for many rural veterans."

As far back as 2000, the VA recognized that the large proportion of rural veterans has made it harder for those veterans to access care.

My amendment allows the VA to develop and test a pilot program to attract and retain high quality providers and management to rural facilities across the country. It is one of many efforts to address quality of care for our veterans.

These incentives would only be available to the employee for as long as they were serving in the designated rural areas.

The amendment would allow the VA to spend up to \$1.5 million to attract qualified health care providers and another \$1.5 million to attract qualified health care administrators to our neediest, most underserved rural VA facilities.

The amendment would also require VA to report back to Congress on the structure of the program, the number of individuals recruited through such incentives, and the prospects for retention of these doctors, nurses, and administrators.

Just last month, the Kansas Health Institute reported that financial incentives are an important part of recruiting and retaining providers to rural areas in the civilian sector.

We need to give the VA similar tools.

Veterans in Marion and Chicago, IL, New York City and Niagara, NY, Dallas and Temple, TX, deserve the same quality of care. As veterans of current wars leave active duty and return to their hometowns, we must be ready to serve them. It is simply the cost of war.

This amendment would give the VA another tool to use as it works to improve its rural health facilities. I encourage my colleagues to support it.

Mr. President, I yield the floor.

Mr. ROCKEFELLER. Mr. President, along with my colleagues, Senators THUNE and WEBB, I am in strong support of the Frank Buckles World War I Memorial Act. This bill rededicates the site of the District of Columbia War Memorial on the National Mall as a National and DC World War I Memorial in recognition of the upcoming anniversaries of America's entry into World War I, and of the armistice that concluded World War I on November 11, 1918.

The legislation is named in honor of Frank Buckles of West Virginia, the last surviving American World War I veteran. Mr. Buckles, born in 1901 in Harrison County, MO, is a wonderful man and representative of his generation. At the age of 108, he resides in the

eastern panhandle of West Virginia, where he lives on his 330-acre farm with his daughter.

His personal story is similar to many young men of his era. As an eager 16-year-old, Frank Buckles tried to enlist in the Army several times and finally succeeded. He then pestered his officers to be sent to France. Mr. Buckles drove motorcycles, cars, and ambulances in England and France, and during the Occupation, he guarded German prisoners. Following the war, he went to work for the White Star steamship line and was in Manila on business in December 1941 when the Japanese attacked the Philippines. Frank Buckles spent over 3 years as a prisoner at the city's Los Banes prison camp. On February 23, 1945, a unit from the 11th Airborne Division freed him and 2,147 other prisoners in a daring raid on the Los Banes prison camp. Mr. Buckles was affected by and has memories of both World War I and World War II.

After his liberation from Los Banes, Frank Buckles returned to the United States. He married Audrey Mayo, a young lady whom he had known before the war, and in 1954 they settled down on the Gap View Farm in West Virginia. On this same farm, Mr. Buckles has remained mentally sharp and physically active. He worked on his farm with tractors up to the age of 105. Now, he reads from his vast book collection and enjoys the company of his daughter Susannah Flanagan who came to live with him after his wife passed away in 1999.

I had the privilege of listening to Frank Buckles' compelling stories in his home in West Virginia while sitting with his daughter. He generously shares his memories of working to enlist and get to France, as well as meeting French soldiers and guarding German prisoners. Everyone can hear his reflections by visiting the Library of Congress's special Web site for its Veterans History Project. It has personal interviews of Mr. Buckles and thousands of other veterans that have served our Nation both during times of war and peace. Visiting this Web site is an incredible resource for scholars, students and every American, and it reminds us of the compelling personal stories of bravery, commitment, and sacrifice made by our country's veterans and how they shaped our world.

The bill I introduced with Senators WEBB and THUNE is designed to honor and remember over 4.35 million Americans, like Frank Buckles, who answered the call of duty and served from 1914-1918 in World War I. What became known as the Great War claimed the lives of 126,000 Americans, wounded 234,300, and left 4,526 as prisoners of war or missing in action.

At the end of World War I, numerous cities and States erected local and state memorials to honor their citizens who answered the call and proudly served the United States of America. On Armistice Day in 1931, President Hoover dedicated the DC World War I

Memorial to honor the 499 District of Columbia residents who gave their lives in the service of our country. Since then, national monuments to commemorate the sacrifice and heroism of those who served in World War II, the Korean war, and the Vietnam war have all been built on the National Mall.

Yet no national monument has yet been created to honor those who served in World War I. As our Nation prepares to celebrate the centennial of World War I, it is time for that to change by creating the National and DC World War I Memorial.

Mr. President, I urge my colleagues in the Senate to cosponsor this legislation to rededicate the site of the District of Columbia War Memorial on the National Mall as a National and District of Columbia World War I Memorial.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I ask unanimous consent to proceed as in morning guess.

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

#### VETERANS DAY

Mr. BOND. Mr. President, tomorrow our Nation will honor the thousands of men and women who have answered the call to support and defend the Constitution of the United States of America against all enemies. Today I rise to pay tribute to these veterans and their commitment to the cause of freedom. These brave men and women are ones throughout ages who have made the contribution, who made the efforts, and some made the ultimate sacrifice to keep our country free. We owe them no less than our heartfelt thanks.

In Kansas City, MO, we are very proud to have a facility called the Liberty Memorial which was set up many years ago as the only memorial to World War I veterans. That facility continues today to be a very proud part of the Kansas City heritage. We want to make sure that as we look back and honor the veterans of World War I, we recognize that this was the first, the best, and the most outstanding memorial to the veterans of World War I. I ask my colleagues to work with us as we appropriately recognize and elevate the Liberty Memorial to the status it deserves in honoring the men and women who served in that very difficult First World War.

But also as we mark this Veterans Day, the massacre of 13 of our service-members at Fort Hood Texas is in all of our hearts.

It is unthinkable that the brave men and women in our military, who already sacrifice so much when they go forward on the battlefield to fend off attacks, now find the attacks can come at home. But in the midst of this horrific tragedy, our Nation has also witnessed the courage, the heroism, and the quick thinking we have come to expect from our military personnel and law enforcement.

There are many questions that need to be answered, and as vice chairman of the Senate Intelligence Committee and also as the father of a marine and as an American, I want answers about how this could have happened and whether we could have prevented it. What do we learn from this? How do we take steps to make sure it doesn't happen again? I want to find out the who, what, when, where, if anything, our intelligence community knew and whether such information was shared with the appropriate action agencies.

Whatever those answers turn out to be, we must ensure that our Nation remains vigilant against the threat of terrorism both from within and outside of the United States; that our law enforcement and intelligence agencies and our military have the tools and resources they need to defend and protect us here at home and abroad; and that their vigilance is never hampered by unreasonable restrictions on the use of those tools that end up aiding only the terrorists. In doing so, we will not only honor the memory of those men and women who died on this horrible day, in this unprovoked attack, but help save future men and women from such a fate.

It is fitting that we honor our veterans and pause to recognize the hardships and sacrifices they have endured throughout wars, conflicts, and many difficult times. We remember especially those men and women who gave their lives so that others—whether comrades, families, total strangers, or the rest of us—could live in freedom. We owe these heroes and their families our eternal gratitude and respect.

As a Senator from Missouri, I offer my very special thanks to the men and women in uniform and the men and women who have served in uniform from our State. In Missouri, the history of service is long and proud. My great State is home to Whiteman Air Force Base, Fort Leonard Wood, and many smaller Guard installations and bases. I am particularly proud of the work being done by the Missouri National Guard's Agricultural Development Team, currently in Afghanistan, where they are helping sow the seeds of peace and providing the security needed to ensure those seeds can grow.

We owe these heroes in Missouri and across the Nation a debt too large ever to repay. At the same time, we recognize the many accomplishments and victories of our military forces. Since the September 11 attacks on our country, we have witnessed their bravery and determination as they fought al-Qaida and other terrorists head-on. Even when naysayers here in Washington were predicting certain defeat in Iraq, these men and women soldiered on and turned the tide toward victory.

Turning to the battle we fight today, the battle in Afghanistan has been described by President Obama and many in this body as a war of necessity. The President has rightly said that we cannot retreat, we cannot fail, we cannot

be deterred from our efforts to counter the forces of evil in Afghanistan. But the voices who advocated cutting and running from Iraq, who predicted certain defeat, have been peddling the same pessimism with respect to Afghanistan.

Seven months ago, I was very encouraged when President Obama outlined a strategy—a full-blown strategy—for achieving success in Afghanistan. I strongly supported this strategy, and particularly the appointment of GEN Stanley McChrystal to lead our troops on the ground. Yet here we are, on the eve of Veterans Day, and the latest indications from the President are troubling. Instead of a firm commitment to his own strategy, there is indecision. Instead of trusting the judgment of his own hand-selected commander on the ground, there are endless war councils and sessions with commanders who are not on the ground. Instead of one strategy, there are now five. Instead of certainty, there is only one possibility; that is, that a decision may be made by November 19. That is no way to run a war, at least not if we want to win the war. Dithering and wavering are not viewed with favor in any situation. When the lives of our men and women are on the line and the threat from al-Qaida and the Taliban grows stronger every day—as General McChrystal said, they are growing stronger—these delays are simply unacceptable. Yet the delays continue, threatening to undo the hard work by our military and intelligence professionals on the battlefields of Afghanistan.

I have heard some congratulate the President for “taking his time” on such an important decision. As a father of a marine who served two tours of duty in Iraq, I agree that whenever we send Americans into battle to risk and possibly lose their lives, the decision must not be a hasty one. But it must not be unnecessarily delayed either. On the eve of Veterans Day, the gravity of this decision is even more moving.

As I said earlier, the President has been advised by General McChrystal that every day we wait, the Taliban is gaining momentum. Our allies are wondering where we are going to come down. Our troops are wondering if they are going to be supported. The people of Afghanistan, who are and must be the target, are wondering if they are ever going to see the troops they need. That is why I applauded the President for making the firm decision on his war strategy in March of this year, months after campaigning on what he called a war “fundamental” to the defense of our people, months after he was sworn in as our Commander in Chief.

As I said earlier, I also applauded President Obama for wisely choosing General McChrystal to implement his strategy for success in Afghanistan. The President was right to wait until hearing from his commander on the ground on what resources were needed before moving forward—an assessment that was delivered in July. Now we are

hearing there are four other strategies, and what I want to know is: Who are the other four generals with responsibility for the troops on the ground, with responsibilities for their success, who are coming up with different strategies? We should learn one thing: When you are fighting a war, you need to listen to the commander whom you have selected and who is carrying out your strategy as you announced it. But now, as November goes by, months later, we are simply witnessing dangerous delay. Unfortunately, those in Washington whispering “delay, delay, delay” to the President are really whispering “defeat.”

I urge the President to ignore the pundits peddling pessimism in Washington. Instead, as we honor our veterans for their sacrifices today and in the past, I urge the President to honor our brave troops currently on the battlefield. Mr. President, honor the commander in chief you chose by giving him the resources needed to succeed in Afghanistan. Mr. President, please honor our warfighters in Afghanistan by recommitting to your own strategy, ending this indecision in Afghanistan, and giving our troops the support they need to succeed. That would be the most fitting tribute to our veterans of past, present, and future wars. I hope this opportunity will not pass.

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

The PRESIDING OFFICER. The Senator from Montana.

#### HONORING OUR ARMED FORCES

Mr. BAUCUS. Mr. President, I rise today to honor and pay tribute to Montana's fallen heroes, the dedicated men and women from our great State who have made the ultimate sacrifice in Iraq and Afghanistan since 9/11.

Montanans proudly volunteer for military service at rates higher than any State in the country, higher per capita. Unfortunately, this distinction comes at a great price. To date, 40 Montanans have died and nearly 250 have been wounded in combat in Iraq and Afghanistan. Montana has now suffered more casualties per capita than any other State in the Union. This is staggering. It illuminates just how much our State's citizens have sacrificed in the service of our country.

The famous World War II radio reporter Elmer Davis once said:

This Nation will remain the land of the free only so long as it is the home of the brave.

It is painfully apparent that Montana is home to some of the bravest men and women of all. Who are these fallen heroes? They range in age from 18 to 40. They hailed from places far afield, such as Troy and Glendive, Billings and Missoula, Lame Deer and Colstrip. They grew up in cities and towns, on ranches and farms, and on the reservation. Some heroes were Active-Duty warriors, others part-time citizen soldiers. They held ranks from lance corporal to lieutenant colonel. It amazes me that with such a variety of backgrounds,

our heroes all shared the common bond of a desire to serve their country in this time of crisis and need.

The Gospel of John, chapter 15, reads: Greater love hath no man than this: that a man lay down his life for his friends.

No tribute could possibly express the extent of my gratitude for what these soldiers, sailors, airmen, and marines have done for their country.

During Vietnam, the late Senator Mike Mansfield carried a casualty card in his breast pocket. In that same spirit, I, too, wish to honor their sacrifice by reading Montana's fallen heroes into the RECORD. The following Montanans were killed while serving in Operation Iraqi Freedom:

Army SGT Travis M. Arndt, 23, Bozeman; Army SSG Travis Atkins, 31, Bozeman; my nephew, Marine Cpl Phillip E. Baucus, 28, Wolf Creek; Army SSG Shane Becker, 35, Helena; Marine PFC Andrew D. Bedard, 19, Missoula; Marine LCpl Nicholas William Bloem, age 20, Belgrade; Army PFC Kyle Bohrnsen, 22, Philipsburg; Army LTC Garnet Derby, 44, Missoula; Army SGT Scott Dykman, 27, Helena; Army SPC Michael Frank, 36, Great Falls; Marine LCpl Kane Michael Funk, age 20, Kalispell; Army SSG Yance T. Gray, 26, from Ismay; Army SSG Aaron Holleyman, 26, Glasgow; Army PVT Timothy J. Hutton, 21, Dillon; Navy PO2 Charles Komppa, 35, Belgrade; Army CPL Troy Linden, age 22, Billings; Army CPT Michael McKinnon, 30, Helena; Army SGT James A. McHale, 31, Fairfield; Army MSG Robbie McNary, 42, Lewistown; Marine LCpl Jeremy Scott Sandwick Monroe, 20, Chinook; Army PFC Shawn Murphy, 24, Butte; Marine LCpl Nick J. Palmer, 19, Great Falls; Army CPT Andrew R. Pearson, 32, Billings; Marine Cpl Dean Pratt, 22, Stevensville; Army SPC James Daniel Riekena, 22, Missoula; Army 1LT Edward M. Saltz, 27, Bigfork; Army PVT Daren Smith, 19, Helena; Marine Cpl Raleigh C. Smith, 21, Troy; Marine Cpl Stewart S. Trejo, 25, Whitefish; Army PFC Owen D. Witt, 20, Sand Springs; Army SPC Donald M. Young, 19, Helena; Army PVT Matthew T. Zeimer, 18, Glendive.

The following Montanans were killed while serving in Operation Enduring Freedom:

Navy aviation electronics technician, Andrew S. Charpentier, 21, Great Falls; Army 1LT Joshua Hyland, 31, Missoula; Marine Sgt Trevor Johnson, 23, Colstrip; Army SGT Terry Lynch, 22, Shepherd; Army PFC Kristofer T. Stonesifer, 28, Missoula.

The following Montanans died shortly after returning home from Operation Iraqi Freedom: Army CPL Christopher M. Dana, 23, Helena; and Army SGT George Kellum, 23, Lame Deer.

It pains me dearly to read this list out loud and I cannot begin to imagine how many broken hearts each name represents back home. Our fallen heroes fought and died for our great Nation and all it represents. We owe them a debt of gratitude that can never be fully repaid. We must honor their legacies by remembering their sacrifice as we carry on with our lives.

To all of Montana's families staring at an empty bedroom or an empty chair at the dining room table: You will always be in my thoughts and prayers. I pledge to do all I can to honor your fallen loved ones.

To Montana's fallen warriors: We will never forget.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SANDERS. I ask to speak as in morning business.

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

#### THE ECONOMY

Mr. SANDERS. Mr. President, I think, as most Americans understand, as a result of the greed, the recklessness, the illegal behavior of a relatively small number of financial institutions, the United States of America is currently in the midst of the worst economic and financial crisis since the Great Depression. Millions of Americans have lost their jobs. Millions of other Americans are working longer hours for lower wages. People have lost their homes, people have lost their savings, people have lost, in many respects, their hope.

On Friday we learned that the official unemployment rate is now 10.2 percent, the highest in over 26 years. But the official unemployment rate tells only half the story. If you add the number of people who are underemployed, if you add the number of people who have given up looking for work, what you find is we have 27 million people in that category of unemployed or underemployed, which is 17.5 percent of the American workforce. That is an astronomical number. Obviously there are areas of our country, in the Midwest and California, where the number is substantially higher than that.

Over a year has come and gone since Congress passed the \$700 billion bailout of Wall Street. In addition, of course, the Federal Reserve has committed trillions of dollars in zero interest loans and other assistance to large financial institutions. Added together, this amounts to the largest taxpayer bailout in the history of the world.

President Bush, former Treasury Secretary Hank Paulson, and Fed Chairman Ben Bernanke told us we needed to bail out Wall Street because we could not allow huge financial institutions and insurance giants to fail. They said if any of these large institutions failed, it would lead to systemic damage to the financial system and, in fact, the entire economy.

One might think, if these institutions then were too big to fail, it doesn't take a Ph.D. in economics to figure out maybe one of the important solutions would be to make them smaller. Too big to fail? Well, let's reduce their size.

Yet in the last several years these financial institutions in many respects

did not get smaller but, amazingly enough, they got larger. Too big to fail. What do we do? Make them larger. If that makes sense to somebody, it doesn't actually make sense to me, nor do I think to a majority of Americans.

Last year the 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 the country. So you had a huge bank—too big to fail. They became larger through the consolidations of Countrywide and Merrill Lynch by the Bank of America.

Last year JPMorgan Chase, which received a \$25 billion bailout from the Treasury Department and a \$29 billion bridge loan from the Federal Reserve, acquired Bear Stearns and Washington Mutual, the largest savings and loan in the country. Too big to fail? Well, what happens if you are JPMorgan Chase? You become bigger.

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. Too big to fail? If you are Wells Fargo, make it bigger.

Today these huge financial institutions have become so big that the issue now is not just too big to fail and taxpayer liability, the issue becomes concentration of ownership. According to the Washington Post, the four largest banks in the United States—that is the Bank of America, Wells Fargo, JPMorgan Chase, and Citigroup—now issue one out of every two mortgages. Half of the mortgages in America are issued by four large financial institutions. Two out of every three credit cards in this country are issued by the four largest financial institutions of the country. These same institutions hold \$4 out of every \$10 in bank deposits in the entire country.

What we are looking at here is not just taxpayer liability for when huge financial institutions collapse and the taxpayers have to bail them out; now what we are also looking at is concentration of ownership where a handful—four major financial institutions—controls half of the mortgages, 2 out of 3 credit cards, and 40 percent of bank deposits in the entire country. That is wrong from a competitive point of view, from a point of view that the consumer has to have some choices and has to see some competition in order to get a break.

The face value of over-the-counter derivatives at commercial banks has grown to \$290 trillion—that is an astronomical sum of money—95 percent of which is held in 5 financial institutions in the entire country. Five financial institutions control 95 percent of over-the-counter derivatives. 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 con-

tinue to get worse or betting on the weather or whatever else 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 and the severe recession that millions and millions of people are experiencing today through their loss of jobs.

If any of these financial institutions were to get into major trouble again, taxpayers one more time would be on the hook for another substantial bailout. In fact, the next time it might even be bigger than we saw last year. Now is the time to say clearly 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. Every Member of the Senate has heard from constituents who pay their credit card bills on time every single month, they then bailed out Wall Street, and what they get in return is interest rates which have gone from 10 percent or 15 percent to 25 percent or 30 percent. That is what you get when four large financial institutions control two-thirds of the credit cards in this country.

According to *Businessweek*, "Bank of America sent letters notifying some responsible card holders that it would more than double their rates to as high as 28 percent."

That is what we are seeing all over this country. 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. We all know this. Here are these guys on Wall Street. We bailed them out. They become bigger. And they say: Thank you, America. Now we are going to raise the interest rates on your credit cards to usurious rates—outrageous, unacceptable. Twenty-five percent or thirty percent interest rates on hard-working people who pay their bills on time is something that should be eliminated and, in fact, on another issue we have legislation to do that.

It seems to me if you add all of that together, the fact that the largest banks that were "too big to fail" have grown larger, that we have a very dangerous concentration of ownership within the financial institution industry, the time is now to do exactly what good Republicans, good Republicans such as Teddy Roosevelt and William Howard Taft, did 100 years ago; that is, to start breaking up those institutions.

That is what we have got to do. We have got to start breaking up these institutions. Last week I introduced S. 2746, the Too Big to Fail, Too Big to Exist Act that would do that. I think the title of that legislation I have introduced says it all: If an institution is too big to fail, it is too big to exist. Let's break it up.

This legislation is all of two pages long. It is not 2,000 pages like the

health care bill. It is two pages. That is all. It is very simple. This legislation would require the Secretary of Treasury to identify within 90 days every single financial institution and insurance company in this country that is too big to fail. That should not be too hard to do. Which are the institutions that are too big to fail? Tell us who they are. Then within the rest of the year, within 1 year, start the process of breaking them up.

One of the further reasons we have got to break up these institutions is not just that they continue to be a liability for taxpayers, not only that the concentration of ownership leads to higher and higher interest rates, leads to the fact that Wall Street remains an entity unto itself, largely a gambling casino which makes huge amounts of money for the people on Wall Street but ignores the credit needs of small and large businesses in the productive economy, but there is another reason. The other reason is I know some of my friends here say: Well, you know, we have got to regulate Wall Street. That is what we have to do, not break them up, regulate them. But it is not the Congress that is going to regulate Wall Street, it is Wall Street that is going to regulate the U.S. Congress.

I think anybody who knows anything about politics knows that is true. We know that over a 10-year period, Wall Street has spent \$5 billion on lobbying and campaign contributions. Despite their greed and the fiascos which they caused, what they are doing now is spending millions more trying to make sure that Congress allows them to go back to where they were.

I don't think it is a question of us regulating them, it is them regulating us with so much wealth and so much power. That is what they are capable of doing. What we are beginning to see, not only in the United States but all over the world, are people saying: Enough is enough.

I find it interesting that John S. Reed, who helped engineer the merger that created Citigroup, Inc., apologized for his role in building a company that has taken \$45 billion in direct U.S. aid, and said "banks that big should be divided into separate parts."

That is what John S. Reed said, the former CEO of CitiGroup. He was one of the people who engineered the deregulation effort. He has apologized to the American people, and I respect that very much; one of the few who has had the guts to come before the United States and say: I made a mistake. I am sorry. I respect him for doing that.

Furthermore, we have Alan Greenspan, who probably more than any other person in this country led the effort to deregulate, to do away with Glass-Steagall, this philosophy that said: If we deregulate, if we allow these titans on Wall Street to do anything they want, they are going to create wealth for the whole economy.

But even Alan Greenspan, whose disastrous leadership helped lead us to

where we are right now, even he, I think, has recognized the error of his ways. According to Bloomberg News on October 15, 2009, former Chairman Greenspan said:

If they're too big to fail, they're too big. In 1911 we broke up Standard Oil—so what happened? The individual parts became more valuable than the whole.

That is Alan Greenspan understanding the errors he made.

I should note, I am grateful Mr. Greenspan's views on the subject have drastically changed. Because when I was in the House, on the Financial Institutions Committee, he would come before that committee. He and I used to have a little bit of a debate on the issue of deregulation. I remember, back in 2000, I asked Mr. Greenspan the following question. I asked him:

Aren't you concerned with such a growing concentration of wealth that if one of these huge institutions fails that it will have a horrendous impact on the national and global economy?

Here is what Mr. Greenspan said in the year 2000:

No, I'm not. I believe that the general growth in large institutions have occurred in the context of an underlying structure of markets in which many of the larger risks are dramatically—I should say fully—hedged.

Well, unfortunately, Mr. Greenspan appeared to be wrong, was wrong, and we have spent \$700 billion bailing out Wall Street and trillions more on low-interest loans. But it is not just Alan Greenspan who has changed his views. According to the Washington Post, we know this to be the case:

The British government announced Tuesday it will break up parts of major financial institutions bailed out by taxpayers... The British government—spurred on by European regulators—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.

In other words, what the United Kingdom is beginning to say is, we have got to start breaking up these institutions. If they are too big to fail, they are too big to exist.

But it is not just Alan Greenspan, it is not just John Reed, former CEO of CitiGroup, it is Paul Volcker, the former Federal Reserve Chairman and the head of President Obama's Economic Recovery Advisory Board. This is what he 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.

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

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.

That is Robert Reich.

Sheila Bair, the head of the FDIC, has said that:

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.

Simon Johnson, the former chief economist of the International Monetary Fund, the IMF, has said:

Banks that are too big to fail must now be considered too big to exist.

I am under no illusions that taking on Wall Street will be an easy task. Generally speaking, Congress is never successful or very rarely successful taking on big money interests. They are too powerful, they have too much sway over this institution.

As I mentioned earlier—this is quite incredible—the banking and insurance industry has spent over \$5 billion on campaign contributions and lobbying activities over the past decade in support of deregulation, and they are spending even more today to try to prevent Congress from seriously regulating their industry.

In 2007 alone—and if people want to know why the rich get richer and everybody else gets poorer, they should understand—the financial sector employed nearly 3,000 separate lobbyists to influence Federal policymaking. Remember, we only have 100 people in the Senate, 435 in the House. They have 3,000 separate lobbyists. So if anyone thinks it is going to be easy to reform the financial services sector, it clearly will not.

But if we are going to turn this economy about, if we are going to try to prevent another disaster by which taxpayers have to bail out some of the wealthiest and most powerful people, if we are going to create a situation where financial institutions provide capital to the productive economy so that we can create decent paying jobs, producing real products and real services, we are going to have to finally stand up to these very powerful institutions.

I think the issue is clear. I think all over this country people, whether they are progressive, whether they are conservative, understand that if an institution is too big to fail, it is too big to exist. Let's break them up.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska.) The Senator from New Jersey is recognized.

AMENDMENT NO. 2741 TO AMENDMENT NO. 2730

Mr. MENENDEZ. Mr. President, I understand there is a pending amendment before the Senate. I ask unanimous consent to set aside the pending amendment and call up amendment No. 2741.

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

The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 2741 to amendment No. 2730.

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

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

The amendment is as follows:

(Purpose: To provide, with an offset, an additional \$4,000,000 for grants to assist States in establishing, expanding, or improving State veterans cemeteries)

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

**SEC. 229. (a) ADDITIONAL AMOUNT FOR STATE VETERANS CEMETERIES.**—The amount appropriated by this title under the heading “GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES” is hereby increased by \$4,000,000.

(b) OFFSET.—The amount appropriated or otherwise made available by this title under the heading “GENERAL OPERATING EXPENSES” is hereby decreased by \$4,000,000.

**MR. MENENDEZ.** Mr. President, we are often reminded of the special sacrifice military families make in service to our country.

Memorial Day and Veterans Day are just two occasions when we as Americans take a moment to acknowledge our military men and women, those who have served in uniform.

We pause for a moment of silence. We bow our head for the fallen. Family members visit the final resting place of those they have lost.

We think of those hallowed grounds, those special places, the lines of crosses at Normandy, the graves at Arlington, the tomb of the unknown soldier, veterans cemeteries across America, and we remember all those who have served this Nation with honor.

One of the ways that we can honor them and their families is by covering the cost of burial for veterans, their spouses, and their dependent children in Federal veterans’ cemeteries.

Unfortunately, we have not adequately funded these cemeteries in the past and as the greatest generation ages, our ability to keep the promise of a free resting place for each of them is becoming increasingly difficult to keep.

Across America and in my home State of New Jersey, Federal cemeteries are having problems keeping up with requests for burial. As these cemeteries become overcrowded, veterans and their families are turned away from a benefit they earned through their service. In fact, 10 States do not even have Federal cemeteries, but have managed to set aside State cemeteries.

The very least we can do is provide funding for these State veterans’ cemeteries which would be a cost-effective way for the VA to provide veterans with the burial benefits they were promised.

Veterans who have lived their whole lives in one place, a place with special meaning to them and to their families should have a final resting place based on the veterans cemetery in their location of choice, not the Veterans Administration’s funding choice.

My amendment would simply increase Federal funding for State cemeteries by \$4 million so that we can have the resources to keep our promise and provide our heroes with the dignity, respect, and honor they deserve.

Honoring America’s veterans is not solely reserved for Memorial Day and Veterans Day.

This commitment to State veterans’ cemeteries reinforces America’s respect for its veterans and their families. They have already given their service to this country; the least we can do is give them a final resting place with their brothers and sisters who served.

Arlington cemetery is an inspiring place. We have all seen it. We have all been there. We are awed by its majesty and what it says about America, about who we are as a Nation, and what we stand for as a people.

Let us give every State an Arlington to inspire the next generations to live up to the promise of America. We owe our veterans the choice to be buried with their families at a cemetery based on location and not economics.

I urge my colleagues to support this important amendment.

**MR. CONRAD.** Mr. President, I rise to offer for the RECORD, the Budget Committee’s official scoring of S. 1407, Military Construction and Veterans Affairs and Related Agencies Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides \$78.1 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of \$48.4 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$77.7 billion.

An amendment has been adopted to designate \$1.4 billion in budget authority in the bill as being for overseas deployment and other activities. Pursuant to section 401(c)(4) of the 2010 budget resolution, adjustments to the Appropriations Committee’s section 302(a) allocation and to the 2010 discretionary spending limits were made for that amount and for the outlays flowing therefrom.

The bill matches the subcommittee’s revised allocation for budget authority and for outlays.

The bill is not subject to any budget points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

**S. 1407, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2010**

(Spending comparisons—Senate-Reported Bill with Technical Amendment (in millions of dollars))

	Defense	General purpose	Total
Senate-Reported Bill:			
Budget Authority .....	24,632	53,473	78,105
Outlays .....	24,743	52,960	77,703
Senate 302(b) Allocation:			
Budget Authority .....			78,105
Outlays .....			77,703
House-Passed Bill:			
Budget Authority .....	24,577	53,328	77,905
Outlays .....	24,691	52,967	77,658
President’s Request:			
Budget Authority .....	24,351	53,315	77,666

**S. 1407, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued**

(Spending comparisons—Senate-Reported Bill with Technical Amendment (in millions of dollars))

	Defense	General purpose	Total
Outlays .....	24,643	52,219	76,862
Senate-reported bill with technical amendment compared to:			
Senate 302(b) allocation:			
Budget Authority .....			0
Outlays .....			0
House-Passed Bill:			
Budget Authority .....	55	145	200
Outlays .....	52	7	45
President’s Request:			
Budget Authority .....	281	158	439
Outlays .....	100	741	841

Note: The subcommittee’s 302(b) allocation has been adjusted to reflect adoption of an amendment to designate \$1.399 billion in budget authority as being for overseas deployments and other activities pursuant to Sec. 401(c)(4) of S. Con. Res. 13, the 2010 Budget Resolution.

**MR. WEBB.** Mr. President, the administration’s fiscal year 2010 defense budget request included authorization of an appropriation of \$46.3 million for the dredging of the channel and turning basin at Naval Station Mayport, FL. The Deputy Secretary of Defense and the Secretary of the Navy confirmed that this dredging project is not associated with the Navy’s proposal to homeport a nuclear-powered aircraft carrier, CVN, in Mayport. However, advocates for the Navy’s homeporting proposal continue to assert that the dredging project is the “first step” in having a carrier homeported in Mayport. It is time to set the record straight.

There is no cause-and-effect linkage between the Navy’s homeporting proposal with the authorization and appropriation of fiscal year 2010 military construction funds to dredge the channel at Mayport. The Navy’s homeporting scheme is being reviewed separately as part of the Department of Defense’s Quadrennial Defense Review. Dredging Mayport’s channel will have no influence on its evaluation.

Last April, when Secretary of Defense Gates announced key decisions associated with the President’s fiscal year 2010 defense budget request, the Navy called me to confirm that its request for funds for dredging and pier improvement projects at Naval Station Mayport was not associated with its homeporting proposal. The Navy said its military requirement for dredging is to permit safer routine and emergency port visits by an aircraft carrier by lessening the current severe restrictions associated with the existing water depth in Mayport’s channel and basin. The Navy acknowledged that the Quadrennial Defense Review would consider its carrier homeporting proposal separately.

In August, Deputy Secretary of Defense Lynn wrote me to reconfirm this point. He said:

Secretary Gates has taken the prudent step of seeking funding for the dredging of the Mayport channel within the fiscal year 2010 budget to provide an alternative port to dock East Coast carriers in the event of a disaster. As you know, the Secretary decided that the larger issue of whether Mayport will be upgraded to enable it to serve as a homeport for CVNs should be objectively evaluated during the Department’s Quadrennial

Defense Review (QDR). We continue to believe that the QDR will provide the best forum to assess the costs and benefits associated with a strategic move of this scale.

Also in August, the Secretary of the Navy, the Chief of Naval Operations, and the Commandant of the Marine Corps wrote the chairman of the Senate Committee on Armed Services regarding conference action on the Fiscal Year 2010 National Defense Authorization Act. Their letter specifically addressed the reasons why it was necessary to dredge Mayport's channel and basin. They stated the military construction project was necessary regardless of a final decision on aircraft carrier homeporting at Mayport.

The three senior leaders of the sea services stated dredging was needed for the following reasons:

Mayport is currently used as a transient dock for nuclear aircraft carriers, and the current Mayport Channel and turning basin depths impose undesirable restrictions on the safe navigation of an aircraft carrier. Operational readiness is degraded because a nuclear aircraft carrier cannot enter the port with the embarked air wing and full stores and only during certain high-tide conditions. It is prudent to remove these operational limitations. The dredging provided in this project is therefore required irrespective of the final decision on aircraft carrier homeporting at Mayport.

Conferees for the fiscal year 2010 defense authorization bill from the House of Representatives and Senate Armed Services Committees met in September and October to reconcile differences between each Chamber's bill. During their consideration of military construction projects, the conferees recognized that confusion could exist regarding the dredging project owing to the erroneous assertions that it would pave the way for homeporting a carrier in Mayport.

As a result, a manager's statement accompanied the Fiscal Year 2010 National Defense Authorization Act signed into law by President Obama last month. It states, in part, that the conferees authorized funding for the project based on assurances provided by the Secretary of the Navy and the Chief of Naval Operations that the dredging is needed for current operational considerations irrespective of a final decision on carrier homeporting at Mayport. Of note, the manager's statement says:

The conferees emphasize that the inclusion of an authorization for dredging at NS Mayport is not an indication of conferee support for the establishment of an additional homeport for nuclear aircraft carriers on the East Coast, or intended to influence the ongoing Quadrennial Defense Review, which may include a recommendation on the establishment of a second East Coast homeport for nuclear aircraft carriers. Furthermore, the conferees note that this funding is provided solely to permit use of Mayport as a transient port, and that any potential designation of Mayport as a nuclear carrier homeport will require future authorizations from the Committees on Armed Services of the Senate and House of Representatives.

Last year, the Navy said that the risk of a catastrophic event closing

Hampton Roads is "small." Dredging Mayport's channel and turning basin so that it can accommodate a nuclear-powered aircraft carrier for an unlikely emergency port visit clearly obviates the need to invest up to \$1 billion to build duplicative nuclear-support infrastructure for carrier homeporting. During the Department of the Navy's budget testimony last June, Admiral Roughead, the Chief of Naval Operations, stated: "Future shore readiness . . . is at risk." In fact, the Navy's shore readiness is at risk today. In January, the Navy acknowledged it had a \$28 billion backlog in shore facility restoration and modernization.

The need to sustain Naval Station Mayport is clear. Before investing what could be up to \$1 billion to support a nuclear-powered aircraft carrier, however, the Navy should first properly maintain its existing shore facilities. As the Navy's own studies reveal, there are other more fiscally responsible and strategically sound homeporting options for Mayport, including the assignment of a large-deck amphibious ship or Littoral Combat Ship, LCS, surface combatants.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

#### THE ECONOMY

Mr. GRASSLEY. Mr. President, last week, we learned that the Nation's unemployment rate has risen to 10.2 percent. That is 1 out of every 10 working Americans being out of a job. But the real number is even higher than that. It is really closer to 1 in 6 workers. When you add in people who are underemployed or have stopped looking for work, the unemployment number is almost 17 percent.

According to a weekend article in the New York Times, that is the highest this country has seen in unemployment since 1982. The Times also noted: "If statistics went back so far, the measure would almost certainly be at its highest level since the Great Depression"—the Great Depression 80 years ago.

After all the bailouts and a \$1 trillion stimulus bill, there are still 16 million of our constituents who want to work but are unemployed. In fact, despite the White House's fuzzy math, the real statistics show that the unemployment rate has more than doubled since the President signed the stimulus bill in February. And, you remember, that bill was supposed to be passed very quickly so the unemployment rate

would not exceed 8 percent, and here we are today at 10.2 percent the way it is officially reported, but taking all the other people into consideration, 17 percent.

So people kind of wonder why there is some question about all the debt we are piling on our future generations through the national debt. Particularly, it is a legitimate question when people were told the stimulus bill had to be passed "right now" or unemployment, then under 8 percent, might exceed 8 percent.

So there are a lot of questions out there, and some of it carries over into the health care reform issues before Congress right now because it is kind of like people were not really concerned about health care legislation in the Congress of the United States even costing \$1 trillion or more until they found out all these other trillions of dollars that were being spent to get us out of a recession were not working. Then it is kind of like the health care reform was kind of the straw that broke the camel's back to cause people to lose confidence in Congress using its own good judgment to solve this problem of the recession.

So we have 10.2 percent unemployment officially, more otherwise. That equates to about 7 million lost jobs since the stimulus bill was passed, and despite the stimulus bill's failings, the White House is pinning its hopes on yet another trillion-dollar effort. Now they are using their "back of the envelope" calculations to say health care reform is going to save the economy. This picked up about 6 months ago, back in March, when the White House chose to focus on health care reform rather than the economic crisis.

I would like to quote President Obama:

Healthcare reform . . . is a fiscal imperative. If we want to create jobs and rebuild our economy, then we must address the crushing cost of healthcare this year, in this administration.

That is a quote from President Obama.

I want to say, to some extent I agree with him. It is true health care costs are rising at twice the rate of inflation, straining family budgets, and making it difficult for American businesses to remain competitive. Congress should absolutely enact legislation that addresses these issues.

But, unfortunately, the pending health care reform proposals in the House and Senate not only ignore the primary issue of cost, they also put in place policies that are going to cause more Americans to lose their jobs and further damage our struggling economy.

So now to the main point of my coming to the floor to discuss this issue: Whether it is the \$500 billion in tax increases or the growing list of Federal mandates in these pending health care reform bills, the pending bills will take our economy in the wrong direction, contrary to what the President said in

that speech several months ago when he said that if you want to fix the economy, you have to do something about health care reform. Maybe if the President had proposed his own bill, maybe he would have proposed something that did it, but what we see evolving in the Congress of the United States is not going to solve that problem.

Back in March, again, when the President turned his attention to health care reform, the head of his Council of Economic Advisers, Christina Romer, said—and I have a chart that has the quote:

We know that small businesses are the engine of growth in the economy, and we absolutely want to do things to help them.

Well, I am not sure how the White House defines the word “help,” when it comes to getting small businesses back on track and turning the economy around, but I do know President Obama came up to Capitol Hill this past weekend to pressure House Members to vote for a bill that will have a devastating impact on small business in America. If this is what the administration means when they want to “help” small businesses, the old phrase, “With friends like these, who needs enemies” comes to mind.

The President and Democratic leadership twisted arms and bought support for a bill that the National Federation of Independent Businesses—and that organization tends to be the voice of America’s small businesspeople—actively opposed. After the bill passed, the National Federation of Independent Businesses released the following statement about the administration and Congress’s efforts to help small business. This is a long quote, so let me read it, but we also have it on a chart here:

Small business owners are outraged.

Let me start over again. This is from the National Federation of Independent Businesses’ comments on what happened in the House of Representatives:

Small business owners are outraged. This bill will actually make things worse, not better. With unemployment at a 26-year high, the punitive employer mandates and atrocious new taxes will force small business owners to eliminate jobs and freeze expansion plans at a time when our Nation’s economy needs small business to thrive.

It doesn’t sound like the National Federation of Independent Businesses and the thousands of members they have throughout the United States appreciate the administration’s efforts to help. With the marginal tax rate on some small businesses, especially those likely to expand, rising by 33 percent under the House bill, it is no wonder. Here we have a chart that says this. The green, present level of taxation; the red, how the President proposes to increase taxes to 39.6 percent in his budget; and then we have other things that are still in the President’s budget that are kind of hidden. I will not go into what PEPs and Peases are, but they are a hidden additional tax rate

that brings it up almost another 2 percentage points to 41 percent. Then we have the last big bar that has everything in the previous two, plus the 5.4-percent surtax that is in the House bill. It is these increased taxes on individuals—because a lot of small businesses file individually, they don’t file corporate tax returns—that kills small business, the engine that creates 70 percent of the new jobs in America.

So we have a situation with these potential tax increases, where any business looking to the capital markets will probably find sources of capital chilled by the 70-percent increase in marginal rates on capital gains that occurs under the House bill. We have this chart over here that shows when you add in the capital gains as well what happens. Because capital gains has a great deal to do with capital formation in America, and higher marginal tax rates tend to discourage that.

Some Members might say the National Federation of Independent Businesses’ statement was about the House bill, and it was, but bills we have before the Senate aren’t much better. The HELP Committee bill has a similar pay-or-play mandate that will cost American jobs, as does the House bill. The Finance Committee bill is filled with tax increases that will directly affect small business owners and their employees, including families who make less than \$250,000 a year, which would obviously be a violation of the President’s campaign promise that he wasn’t going to increase taxes for those earning under \$250,000.

So here we have another chart: Health care reform raises taxes on families with more than \$75,000 in income. That is because \$75,000 is below \$250,000, so the President violates his campaign promise. Further analysis by the Congressional Budget Office has shown that small businesses could also face significantly higher health insurance premiums as a result of the new insurance market reforms. We have the consulting firm of Oliver Wyman concluding that the insurance reforms could raise premiums by as much as 20 percent. As more American businesses, big and small, face higher premiums and more taxes, workers will end up suffering.

The Congressional Budget Office has concluded that pending Senate legislation could force about 3 million people out of their employer-based coverage, and that doesn’t even include the potential impact of a new entitlement program, a government-run program we call the public option.

All of this doesn’t sound like it is helping small businesses or letting people keep what they have, which was another Presidential promise. The bills also make our unemployment situation worse. We are talking about another \$1 trillion in spending—\$1 trillion we can’t afford—that will end up costing Americans jobs.

I wish to quote from a recent article jointly published by Health Affairs and

the Robert Wood Johnson Foundation. We have that quote right here. I am going to quote a small part of that article:

Small, lower-wage firms could be among the most affected—

Meaning most affected by the pay-or-play mandate.

Firms might respond by firing or declining to hire workers. Several studies projected the loss of anywhere from 224,000 to 750,000 jobs.

That analysis doesn’t even take into account the impact of the tax increases and the new Federal mandates. The people who don’t lose their jobs, of course, face lower wages because it doesn’t matter whether you are an economist to the far right or an economist to the far left, there is agreement that as health insurance costs increase, wages go down.

As all the new Federal mandates and the regulatory requirements drive up premiums, businesses will be forced to respond by lowering wages. All of this doesn’t sound like a recipe for getting the economy back on track.

I wish to review what the pending bills mean for the average worker and our struggling economy: higher unemployment, more than 750,000 jobs lost; increased health insurance premiums, maybe by as much as 70 percent; lower wages, less money in your paycheck; \$500 billion in higher taxes for individuals and businesses; more government spending and higher deficits.

The administration and the Democratic leadership can make all the promises they want, but facts are the facts. Congress needs to address health care. We need to bring down costs, improve quality, and create a more competitive market for insurance, but we should do it in a way that makes our economy stronger. Unfortunately, the health care reform bills we have seen so far are bad for the economy and particularly bad for an American worker and particularly bad at a time when there is, at least officially, 10.2 percent of people unemployed and, if you take other factors into consideration as I have already spoken about, maybe around 17 percent unemployed. As the New York Times said, maybe the highest rate of unemployment going back to the Great Depression. This is bad.

So I can only end by saying, as we look to the debate on health care reform and the analyses of these bills that are done by economists, done by advocates for small business, and the impact it is going to make on the economy, I think we ought to take a second look and not make this situation of the economy worse through a bill that ought to be helping the economy. Everybody agrees we may have the best medical care in the world. We don’t have a perfect system, and that system needs to be changed, but in the process of doing it, we have to make sure we do not make a bad situation worse for our economy.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so I may call up two amendments.

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

AMENDMENTS NOS. 2774 AND 2779 TO AMENDMENT NO. 2730, EN BLOC

Mr. DEMINT. Mr. President, I wish to call up Inhofe amendment No. 2774 and DeMint amendment No. 2779.

The PRESIDING OFFICER. The clerk will report the amendments en bloc.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT], for Mr. INHOFE, for himself, and Mr. BARRASSO, Mr. BROWNBACK, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mr. JOHANNS, Mr. KYL, Mr. ROBERTS, Mr. THUNE, Mr. VITTER, Mr. BOND, and Mr. HATCH, proposes an amendment numbered 2774 to amendment No. 2730.

The Senator from South Carolina [Mr. DEMINT] proposes an amendment No. 2779 to amendment No. 2730.

The amendments are as follows:

AMENDMENT NO. 2774

(Purpose: To prohibit the use of funds appropriated or otherwise made available by this Act to construct or modify a facility in the United States or its territories to permanently or temporarily hold any individual held at Guantanamo Bay, Cuba)

On page 60, after line 24, add the following:  
SEC. 608. (a) None of the funds appropriated or otherwise made available by this Act may be used to construct or modify a facility or facilities in the United States or its territories to permanently or temporarily hold any individual who was detained as of October 1, 2009, at Naval Station, Guantanamo Bay, Cuba.

(b) In this section, the term “United States” means the several States and the District of Columbia.

AMENDMENT NO. 2779

(Purpose: To prohibit the use of funds for the transfer or detention in the United States of detainees at Naval Station Guantanamo Bay, Cuba, if certain veterans programs for fiscal year 2010 are not fully funded)

At the end of title II, add the following:

SEC. 229. (a) LIMITATION ON USE OF FUNDS FOR TRANSFER OR DETENTION IN UNITED STATES OF DETAINEES AT GUANTANAMO BAY WITHOUT FULL FUNDING OF CERTAIN VETERANS PROGRAMS.—

(1) LIMITATION.—None of the funds appropriated or otherwise made available by this Act may be used to support, prepare for, or otherwise facilitate the transfer to or the detention in any State or territory of the United States of any individual who was detained as of November 1, 2009, at Naval Station Guantanamo Bay, Cuba, until 15 days after the Secretary of Veterans Affairs certifies to Congress that the programs specified in subsection (b) are fully funded for fiscal year 2010.

(2) CERTIFICATION.—The certification submitted under this subsection shall include a

description of the funding available for fiscal year 2010 for each program intended to address a need of veterans specified in subsection (b).

(b) PROGRAMS.—The programs specified in this subsection are the programs of the Department of Veterans Affairs to meet needs of veterans for the following:

(1) Health care.

(2) Rehabilitation and reintegration into the community of veterans suffering from traumatic brain injury (TBI).

(3) Rehabilitation and reintegration into the community of veterans suffering from post-traumatic stress disorder (PTSD).

(4) Specially adapted housing for disabled veterans.

(5) Counseling and treatment for service-connected trauma, including trauma associated with sexual assault.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Madam President, I ask unanimous consent that the Senate be in recess subject to the call of the Chair.

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

There being no objection, the Senate, at 7:46 p.m., recessed subject to the call of the Chair and reassembled at 7:57 p.m. when called to order by the Presiding Officer (Ms. LANDRIEU).

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

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, first, I appreciate very much the Presiding Officer coming to the Chamber and helping us at this time of night.

I ask unanimous consent that other than the Johnson substitute and pending amendments, which are listed in this agreement, the following list be the only first-degree amendments remaining in order to H.R. 3082, the Military Construction, Veterans appropriations; that relevant second-degree amendments be in order to the first degree to which offered; that a managers' amendment, which has been cleared by the managers and leaders, also be in order; and that if offered, the amendment be considered and agreed to, and the motion to reconsider be laid upon the table, with no other amendments in order: Johnson No. 2733; Udall of New Mexico No. 2737; Franken No. 2745; Inouye No. 2754; Coburn No. 2757; Durbin Nos. 2759 and 2760; McCain No. 2776,

second degree to Inouye amendment No. 2754; Inhofe No. 2774; Coburn motion to commit with instructions; DeMint No. 2779; Menendez No. 2741; Akaka No. 2740; Johanns No. 2752; Warner/Webb No. 2738; Bingaman No. 2749; Levin No. 2755; Feingold Nos. 2746, 2747, and 2748; Webb No. 2756; Gillibrand No. 2762; Mikulski Nos. 2750 and 2761; McConnell No. 2773; Cochran Nos. 2751 and 2763; Ensign No. 2771; Burr No. 2743; that upon disposition of all amendments, the substitute amendment, as amended, be agreed to; the bill, as amended, be read a third time and the Senate then proceed to vote on passage of the bill, as amended; that upon passage, the Senate insist on its amendment and request a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees on the part of the Senate, with the subcommittee, plus Senators LEAHY and COCHRAN appointed as conferees; provided further that if a point of order is raised and sustained against the substitute amendment, then it be in order for a new substitute amendment to be offered, minus the offending provision but including any language which had been previously agreed to; that the new substitute be considered and agreed to, and no further amendments be in order, with the provisions of this agreement after adoption of the original substitute amendment remaining in effect; further that on Monday, November 16, after a period of morning business, the Senate resume consideration of H.R. 3082, with the time until 5:30 p.m. equally divided and controlled between the two managers or their designees; that at 5:30 p.m., the Senate proceed to vote in relation to the following: Coburn No. 2757 and the Coburn motion to commit; further that prior to these two votes, there be 2 minutes of debate equally divided and controlled in the usual form; that no further debate be in order to the bill, except any time specified for debate prior to a vote in relation to any amendment on the list.

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

#### EXECUTIVE SESSION

#### NOMINATION OF DAVID F. HAMILTON TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 184, the nomination of David F. Hamilton to be a U.S. circuit judge for the Seventh Circuit.

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

The clerk will report the nomination.

The legislative clerk read the nomination of David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit.