

Sebelius, Jim Messina, Phil Schilli, Shawn Maher, and Dana Singiser.

Mr. DODD. Mr. President, let me say this to the minority staff as well. While we have disagreed, and while they didn't vote for the bill, there are people I admire immensely on the minority staff. On our committee, there were wonderful suggestions and contributions that came from the Republican side of the aisle. While they didn't support the bill, I think they made it a better bill because of their contributions. I want to add their names as well. MIKE ENZI of Wyoming, the ranking member—and I worked with every Republican minority member of the HELP Committee—offered amendments that were included. While they may not want to admit it or acknowledge it, they made a contribution to this bill that makes it stronger and a better piece of legislation. I add their names as well for their efforts.

#### MORNING BUSINESS

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

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

#### TRIBUTE TO BARBARA A. SOULIOTIS

Mr. KIRK. Mr. President, I know all my colleagues share an indebtedness to the many staff members who work so (skillfully and) tirelessly behind the scenes each day. They assist us in serving the public and responding to the needs of our constituents. Today, I am honored to pay particular tribute to the contributions of one truly outstanding member of the Senate staff. She will retire at the end of this session of Congress after 47 years of impressive service to the citizens of Massachusetts.

Barbara Souliotis worked on Senator Edward M. Kennedy's first campaign for the Senate in 1962. She was the first employee in Senator Kennedy's office in November of that year. And from the moment he joined this body until the end of his life, Barbara served as a member of his staff and for the last 23 years, she was the State director of his Boston office.

"Barbs" recalls that on her first day at work here in Washington, she spilled a glass of Coca Cola on Senator Kennedy. When she started to apologize, he smiled his iconic smile and said "Barbara, you and I are going to get along just fine."

And they did. She served him brilliantly throughout his entire Senate career—the only member to run the full race as a "staffer", though many of us have reported back in whenever Barbara sent out the call.

Senator Kennedy considered "Barbs" to be his most indispensable assistant. If anyone ever had a question relating

to the Massachusetts people whom he loved, he would inevitably ask, "Have you checked with Barbs?" I know how proud Ted would be that this tribute honoring Barbara's extraordinary example of public service to our Senate, our Commonwealth and our country is taking place this day.

I first met Barbara Souliotis when I joined Senator Kennedy's staff in 1969—40 years ago. I could see right away that behind Barbara's modest demeanor was a remarkable woman who would never let Senator Kennedy down. Why?

Because she had learned that his values and his commitment to making a positive difference in peoples lives was the very reason she wanted to work for him in the first place. As I have thought about public service through the years, it has become clear that the best of our Nation was built on the labors of loyalty and love of unsung public heroines like Barbara Souliotis.

It was once said that "Loyalty means nothing unless it has at its heart—the absolute principle of self sacrifice". If that is the standard of loyalty, I can tell you this,—there is no more loyal United States Senate staffer than Senator Kennedy's own "Barbara Souliotis".

She embodies the admirable quality of loyalty no matter the circumstances. Barbs planned to retire years ago, but her loyalty to Senator Kennedy and her leadership position on his staff kept her with him to the end. Just as she had throughout his storied career, she worked unfailingly for Senator Kennedy through the difficult months of his illness and during his final days.

After Senator Kennedy passed away in August, Barbara continued her remarkable life's work of service as the director of my Boston office. This woman I had known as a colleague came, once again, to the aid of a friend. As one who was appointed to, among other things, continue constituent services for the people of Massachusetts, I knew I could keep that pledge—because Barbara Souliotis volunteered to stay on to lead the Kennedy team during these last few months.

Barb's loyalty, integrity and commitment are legendary. She is the true noble public servant, the tireless and compassionate friend, the unassuming aid to all around her.

If public service is Barb's vocation, sports is her avocation. There is no more avid fan of the Boston Red Sox, the Boston Bruins, the Boston Celtics, and the New England Patriots than Barbara Souliotis.

And she's also an outstanding golfer who plays without a handicap and who has at least one hole-in-one on her score card. In Massachusetts, sports and politics are our passion. And Barbs has scored literally thousands of holes-in-one for the constituents of Massachusetts. A lifelong resident of Haverhill, she has travelled tens of thousands of miles through the years serving the people of our Commonwealth.

In acknowledging Barbara's years of All-Star service to Senator Kennedy for 47 years and to me for these few important and historic months, I add my own personal heartfelt thanks to her, especially for the blessings of her friendship, support, and counsel over the many decades, and I wish her a well-deserved happy and healthy retirement in the many years to come. Thank you, Barbs. We love you. Hit 'em long and hit 'em straight!

#### NOMINATION OF ERROLL SOUTHERS

Mr. DURBIN. Mr. President, it is only fitting that during this travel-heavy holiday season, we urge our colleagues on the other side of the aisle to work with us in confirming the nomination of Erroll Southers as Assistant Secretary for the Transportation Security Administration.

The Transportation Security Administration is tasked with ensuring the security and safety of travelers using our transportation network. Most often associated with security at airports, TSA responsibilities also include highway, rail, port, bus, and mass transit security. The agency grew out of the aftermath of 9/11, a somber reminder of the need for vigilant attention to transportation security.

Erroll Southers is the chief of homeland security and intelligence for the Los Angeles International Airport police force. He is ready for this job. He has nearly three decades working in public safety, homeland security, and intelligence. Chief Southers has worked as a Santa Monica police officer, special agent for the Federal Bureau of Investigation, and as a top officer with the Los Angeles International Airport, assisting in the management of the largest U.S. airport police force.

Unfortunately, without Chief Southers in the position he has been nominated to, TSA is without the leadership necessary to move forward. The President nominated Chief Southers in September, and the nomination has been reported favorably to the Senate by both the Homeland Security and Commerce Committees, it is being held up by Senate Republicans.

At the same time Senate Republicans are insisting on expanding the role and responsibility of TSA by requiring guns to be allowed on Amtrak, they block and delay the permanent leadership necessary to implement these new policies.

And what is the justification for delaying Chief Southers' confirmation? It is not his qualifications, his past actions or experience. These are generally accepted to be outstanding. No, it is instead an unreasonable demand that he predetermine if TSA employees should be allowed to form unions. Instead of bending to political pressure, Chief Southers has taken the stance that this decision should be made with the input of all stakeholders, using

good information, to find the best solution that does not jeopardize safety and security.

The Senate must move past these disagreements and provide the administration with the leadership agencies need to implement congressionally mandated duties. Chief Southers is an excellent candidate to lead the Transportation Security Administration, and he should be in place at the agency today. In the midst of the heaviest travel period of the year, it is irresponsible that the Senate has left this post unfilled. I urge my colleagues to support the confirmation of Chief Southers.

#### BIODIESEL TAX CREDIT

Mr. GRASSLEY. Mr. President, the biodiesel tax credit will expire on December 31, 2009. I am speaking today to set the record straight about why the biodiesel tax credit will not be extended before the end of the year.

Some have suggested that Republicans are to blame for not getting the biodiesel tax credit extended before the end of the year. This is simply inaccurate.

The bottom line is that the Senate Democratic leadership decided they were going to attach the tax extender package to a controversial estate tax bill in an attempt to get moderate Democrats and Republicans to vote for an estate tax bill that does not provide sufficient estate tax relief.

If the Senate Democratic leadership had not chosen to hold the tax extender package hostage in an attempt to force moderate Democrats and Republicans to vote for an estate tax bill that lacks support, the tax extender package would have easily passed separately.

The tax extender bill could have passed as a stand-alone bill easily at any time during this whole year. In fact, the Senate Democratic leadership could simply bring up a noncontroversial version of the tax extender bill and pass it by unanimous consent like we have done in the past. We wouldn't even need to be talking about the tax extender package in relation to the Department of Defense funding bill.

However, because the Senate Democratic leadership failed to act on the tax extender package this entire year, one of the only legislative vehicles left to pass the tax extender package was the Department of Defense funding bill.

Instead of just adding to the Defense bill a noncontroversial tax extender package that both Republicans and Democrats could agree on, the Senate Democratic leadership instead decided that they would also try to attach the controversial estate tax bill and a controversial increase in the debt limit.

They could have instead just included a noncontroversial tax extender package with the Defense bill, and

it would have easily passed. Again, they did not do this because they wanted to use the tax extender package as leverage to get moderate Democrats and Republicans to vote for an estate tax bill that lacks support.

It is also worth noting that there are 60 Senators that caucus with the Democrats, so they can pass anything if they vote together. It rings hollow to place the blame on Republicans for failing to enact the tax extender package before the end of the year when the Democrats hold a supermajority of 60 Senators, an overwhelming majority in the House, and the Presidency.

The House, waiting until the last month of the year, finally passed a tax extender bill. However, the House usually passes an extender bill prior to the last month of the year.

For example, in 2008 the House passed a tax extender bill on September 26, 2008, and in 2007 the House passed a tax extender bill on November 9, 2007. This year, the House passed an extender bill that they knew the Senate would not accept. And then they left town for the year. This is called a dump and run.

The House dumped a tax extender bill that they knew the Senate would not agree to, and left town before the Senate could have any chance to negotiate a tax extender bill that both the House and Senate could agree to.

The House also had a choice to make regarding whether they wanted to pass a tax extender bill this year by simply attaching a noncontroversial version of the tax extender bill, which both the House and Senate could agree on, to the House Department of Defense bill, without attaching either the controversial estate tax bill or the increase of the debt limit on the Defense bill. However, the House chose not to do so.

Therefore, this should set the record straight. The Democratic leadership in the House and the Senate, and not Republicans, are responsible for the failure to pass a tax extender bill before the end of this year.

This failure has very serious consequences to the U.S. biodiesel industry, which will grind to a halt as of January 1, 2010. I remind my colleagues of the economic challenges faced by this industry. In 2008, the biodiesel industry supported more than 52,000 green jobs.

Because of the downturn in the economy, the biodiesel industry has already lost 29,000 green jobs in 2009. The industry is poised to lose another 23,000 jobs if nothing is done on the tax incentive or regulatory delays at the Environmental Protection Agency.

So where are these jobs? Some might think they are all in the Midwest, but they are not. These green jobs are in 44 of the 50 States. I would like to list the 13 largest biodiesel-producing States in the country.

There are 24 facilities in Texas. There are 15 facilities in Iowa. There are 6 fa-

cilities in Illinois and 6 in Missouri. There are 4 facilities in Washington. Ohio has 11 facilities. There are 5 facilities in Indiana. There are 3 facilities each in Mississippi and South Carolina. There are 7 facilities in Pennsylvania and 4 in Arkansas. New Jersey has 2 facilities. There is 1 facility in North Dakota.

Only 6 of the 50 States do not have some biodiesel production. They are Alaska, Delaware, Maine, New Hampshire, Vermont, and Wyoming. The other 44 States have some biodiesel presence.

So workers in 44 States will be negatively affected by the inaction of this Congress to extend the tax credit.

You don't have to take my word for it. On November 25, I received a letter from the Iowa Renewable Fuels Association.

The letter outlined the economic and job ramifications of allowing the tax credit to expire, even if it is a short-term expiration. I would like to read directly from that letter.

It states in part:

Simply put, if the biodiesel tax incentive is allowed to expire—even for a brief period of time—the Iowa biodiesel industry will cease production and many plants will likely not reopen under current ownership.

If the biodiesel tax incentive expires, biodiesel blends will be priced out of the marketplace and our customers—the oil companies—will stop purchasing biodiesel. In reality, we already cannot book any first quarter sales for next year.

No retroactive action on the tax credit sometime next year will undo the harm caused by the lost sales and shuttered plants over the holidays.

Quite frankly, the biodiesel industry is facing shutdowns that would certainly lead to a much longer—and unpaid—Christmas break than anticipated for the hundreds of workers at Iowa biodiesel plants.

But there are long-term impacts potentially even more far-reaching. After more than a year of mainly breakeven or negative margins, most of Iowa's biodiesel plants simply do not have the cash reserves to withstand even a two or three month shutdown.

So, even if the biodiesel blenders' tax credit is retroactively enacted, several of Iowa's biodiesel plants are unlikely to reopen under the current local-ownership. Please do not let the Iowa-owned biodiesel industry disappear on your watch.

I would ask unanimous consent that the entire letter from the Iowa Renewable Fuels Association to which I referred be printed in the RECORD.

The dire situation reflected in this letter applies to all 173 biodiesel plants around the country. The expiration of this tax credit on December 31, 2009, will affect all 23,000 workers in this green energy sector.

It is unfortunate that we have to be faced with the loss of 23,000 green jobs because of inaction on the extension of the biodiesel tax credit. I hope this explanation makes clear who is responsible for this terrible situation.

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