

Dennis Chavez fought for the underdog because he was an underdog. Born into poverty in Valencia County, NM, when the State was still part of Mexico, Chavez walked a long and difficult road to the pinnacle of political power. A child of an isolated small town, he would see the world and help to shape it. A high school dropout, he earned a law degree and became a lawmaker. A victim of ethnic discrimination, he wrote legislation that would eventually make employment discrimination illegal and then unthinkable.

Ambassador Ed Romero also has been an underdog. Those who know him as an international businessman might be surprised to know he started his career working in the fields. Ed Romero had to fight for his business successes. And he fought for the political power that he has used to make this world a better place.

If Ed Romero had just one career, he would be impressive.

If he had only risen from poverty to become a successful businessman—sought-after for corporate boards and respected by his colleagues around the world—that would be an achievement.

But Ed Romero also has devoted his life to sharing what he has earned. As an activist, he has spent his time helping other underdogs play an active role in their government. He has helped America work with its allies to promote peace and human rights across the world. And, much like Senator Chavez before him, he has worked to ensure that men and women of color are represented in this country's corridors of power.

Ed Romero has shown leadership at home and abroad. He is a founder of the Hispanic Cultural Foundation and the National Hispanic Cultural Center in New Mexico. He cofounded the Albuquerque Hispano Chamber of Commerce and serves on the Congressional Hispanic Caucus Institute executive board. He has served as a delegate to the Helsinki accords, and we are very proud that President Clinton named him U.S. Ambassador to Spain.

Linking these two great New Mexicans is very appropriate. Each man turned his own personal struggle into a lasting compassion for life's victims. Both men fought for their people—and for every people that have tasted the bitter fruit of injustice. Both men make me proud to be a New Mexican.

Men like Ed Romero keep America true to its ideals. New Mexico is proud to call him a native son. And I am proud to call him a friend. I urge my colleagues to join me in congratulating Ambassador Ed Romero on receiving the Senator Dennis Chavez Civil Rights and Leadership Award.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. Res. 51. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Ms. STABENOW, Mrs. LINCOLN, Ms. LANDRIEU, Mrs. BOXER, and Mr. CORKER):

S. 451. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 452. A bill to ensure public access to Federal land and to the airspace over Federal land; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself and Mr. BROWN):

S. 453. A bill to authorize the Secretary of Housing and Urban Development to make grants and offer technical assistance to local governments and others to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN (for himself and Mr. MCCAIN):

S. 454. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; to the Committee on Armed Services.

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. 455. A bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. ALEXANDER, Mr. WHITEHOUSE, Mr. LAUTENBERG, and Mr. KERRY):

S. 456. A bill to direct the Secretary of Health and Human Services, in consultation

with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN:

S. Res. 51. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

By Mr. REED (for himself and Ms. COLLINS):

S. Res. 52. A resolution designating March 2, 2009, as "Read Across America Day"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 160

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 160, *supra*.

S. 205

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 205, a bill to authorize additional resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations, and for other purposes.

S. 213

At the request of Mrs. BOXER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 213, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 256

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 256, a bill to enhance the ability to combat methamphetamine.

S. 308

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 308, a bill to amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

S. 309

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 309, a bill to amend title 23, United States Code, to improve highway transportation in the United States, including rural and metropolitan areas.

S. 371

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 371, a bill to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

S. 386

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 386, a bill to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

S. 388

At the request of Ms. MIKULSKI, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Kansas (Mr. BROWNBACK) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 388, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 414

At the request of Mr. DODD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 414, a bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes.

S. 416

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 416, a bill to limit the use of cluster munitions.

S. 422

At the request of Ms. STABENOW, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Michigan (Mr. LEVIN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act

and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 450

At the request of Mr. BAUCUS, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 450, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Mr. MCCAIN):

S. 454. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, I am pleased to introduce the Weapon Systems Acquisition Reform Act of 2009, with Senator MCCAIN as an original cosponsor. The Department of Defense faces huge problems in its acquisition system today. Every year, the Government Accountability Office publishes a report assessing DOD's purchases of major weapon systems, and every year, the picture seems to get worse.

Since the beginning of 2006, nearly half of DOD's largest acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established by Congress to identify seriously troubled programs. As Secretary Gates pointed out in his testimony before the Armed Services Committee last month, "The list of big-ticket weapons systems that have experienced contract or program performance problems spans the services: the Air Force tanker, CSAR-X, VH-71, Osprey, Future Combat Systems, Armed Reconnaissance Helicopter, Littoral Combat Ship, Joint Strike Fighter, and so on."

Overall, DOD's 95 major defense acquisition programs (known as "MDAPs") have exceeded their research and development budgets by an average of 40 percent, seen their acquisition costs grow by an average of 26 percent, and experienced an average schedule delay of almost two years. Last summer, GAO reported that cost overruns on DOD's MDAPs now total \$295 billion over the original program estimates, even though we have cut unit quantities and reduced performance expectations on many programs in an effort to hold costs down.

These cost overruns happen because of fundamental flaws that are endemic

to our acquisition system. We even know what these flaws are: DOD acquisition programs fail because the Department continues to rely on unreasonable cost and schedule estimates, establish unrealistic performance expectations, insist on the use of immature technologies, and adopt costly changes to program requirements, production quantities and funding levels in the middle of ongoing programs.

Particularly at this time, when the federal budget is under immense strain as a result of the economic crisis we simply cannot afford this kind of continued waste and inefficiency. That is why I am introducing this bill with Senator MCCAIN today and why I have scheduled an acquisition reform hearing in the Armed Services Committee next week. The problems in our acquisition system may not be easy to solve, but they are far too big for us not to take whatever steps may be necessary to correct them.

The key to successful acquisition programs is getting things right from the start with sound systems engineering, cost-estimating, and developmental testing early in the program cycle. Programs that are built on a weak initial foundation, including immature technologies, inadequate development and testing, and unrealistic requirements, are likely to have big problems in the long run.

Unfortunately, a number of previous so-called acquisition "reforms" have taken the system in the wrong direction by cutting out people, organizations, and processes needed to establish a sound initial foundation for major programs. For example in the mid-1990's, DOD experimented with assigning "total system performance responsibility" to contractors, abdicating its role in overseeing and ensuring program performance; beginning in the late 1990's, DOD eliminated organizations and capabilities responsible for providing system engineering and overseeing developmental testing on major weapon systems; beginning in 2003, DOD revised its key guidance for major acquisition programs to make the key early phases of an acquisition program optional, authorizing MDAPs to skip over the concept refinement phase, the technology development phase, and even the system development and demonstration phase of the acquisition process, effectively leaping into production before design considerations were adequately addressed. The result has been excessive cost growth in weapon systems and excessive delays in fielding major defense acquisition programs.

Congress has already taken some steps to address problems that come late in the acquisition process—for example, by establishing certification requirements to ensure that programs meet minimal requirements before they enter system development and by tightening the Nunn-McCurdy requirements that are used to identify underperforming programs.