

Feingold	Leahy	Sanders
Feinstein	Levin	Schumer
Gillibrand	Lieberman	Sessions
Graham	Lincoln	Shaheen
Grassley	Lugar	Shelby
Gregg	Martinez	Snowe
Hagan	McCain	Specter
Harkin	McCaskill	Stabenow
Hatch	McConnell	Tester
Hutchison	Merkley	Thune
Inhofe	Mikulski	Udall (CO)
Inouye	Murkowski	Udall (NM)
Isakson	Murray	Voinovich
Johanns	Nelson (NE)	Warner
Kaufman	Nelson (FL)	Webb
Kerry	Pryor	Whitehouse
Klobuchar	Reed	Wicker
Kohl	Reid	Wyden
Kyl	Risch	
Landrieu	Roberts	

NAYS—1

Coburn

NOT VOTING—7

Bond	Lautenberg	Vitter
Johnson	Menendez	
Kennedy	Rockefeller	

The nomination was confirmed.

THE PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and tabled. The President shall be notified of the Senate's action.

LEGISLATIVE SESSION

THE PRESIDING OFFICER. The Senate will now resume legislative session. The majority leader is recognized.

UNANIMOUS CONSENT
AGREEMENT—H.R. 627

MR. REID. Mr. President, I ask unanimous consent that at 3 p.m. Monday, May 11, the Senate proceed to Calendar No. 55, H.R. 627; and that once the bill is reported, Senator DODD or his designee be recognized to offer the Dodd-Shelby substitute; further that the closure motion on the motion to proceed be withdrawn.

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

MR. REID. Mr. President, Senators DODD and Shelby have done very good work on this bill. This is a bill that passed the House with some 377 votes. It is a very important piece of legislation. It is bipartisan in nature. I had a press event this morning—actually it was 12:30—with Senator DURBIN, Senator SCHUMER, and Senator MURRAY.

There I made the best case I could to talk about how much we have been able to get done with the help of the Republicans. We have done some good work, and more indication of that is what we have been able to do with this piece of legislation. It is important that we get this done, that we finish it.

We are not going to go to tobacco until we come back. We are going to finish the work we have to do on the supplemental appropriations bill. We hope to get some nominations done. But we have had some real good work. I am very happy with the way we have worked together. We have a lot more work together we need to do, but this is certainly a step in the right direction.

MORNING BUSINESS

MR. REID. I now 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.

This will be the last vote of the week. We will not have another vote until Tuesday.

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

The Senator from Illinois is recognized.

NATIONAL TRAIN DAY

MR. BURRIS. Mr. President, many of my colleagues and citizens across the country recognize this Saturday as National Train Day, a celebration of 140 years of coast-to-coast rail travel in the United States.

I rise to commemorate the proud history of America's railways, but also to mark this as a time for more than celebration.

We must see this occasion as an opportunity to look ahead, to reinvest in our nation's infrastructure and begin a fresh chapter of high-speed rail service.

In May of 1869, the Central Pacific and Union Pacific Railroads were joined in the remote Utah desert, connecting the east and west coasts of the United States and completing the very first transcontinental railroad in our Nation's history.

For almost a century and a half since, trains have transformed the way goods are transported and intercity passengers reach their destinations.

From the moment of their birth, America's railroads have represented our efforts to meet the challenges and opportunities of living in a Nation that spans a continent.

The rails that connected Atlantic to Pacific became the backbone upon which we built American commerce and ingenuity. In many ways they defined the fabric of our culture, laying the foundation that allowed our civilization to push the American frontier ever westward.

Every year, Amtrak transports 28 million Americans between 500 communities in 46 States.

Intercity passenger rail is 18 percent more energy efficient than air travel and 25 percent more efficient than automobiles, making the modern locomotive one of the most refined and environmentally friendly technologies in American history.

I have seen this firsthand. My early life was shaped in part by the great American railway. I was raised in Centralia, IL, a small town that was very much centered around the railroad.

We lived along a major line originating in Chicago, a national transportation hub that ships goods, passengers and economic opportunity to every community it touches as the trains set out across the American heartland.

Like many in our town, my father, grandfather and four great uncles

worked many years for the Illinois Central Railroad.

I am proud to be a part of the legacy that he and many others helped to create in Illinois and across the country, a legacy that continues to shape us even today.

But now the aging infrastructure that gave definition to this country is badly in need of repair. The time has come once again to invest in rail travel.

Throughout my career, I have supported high-speed rail technology, which will curb pollution and ease crowding on our roads and in the skies.

Now, under President Obama's leadership, we have the chance to make this dream a reality.

By making a substantial investment in clean, safe high-speed rail, we can renew the deep connections that bind our cities and states to one another and to our shared national identity.

We can create jobs, revitalize our economy, protect our environment, and continue the proud tradition of our national railways.

I ask my colleagues to join with me in reaffirming this commitment to modern rail service. I am glad that so many recognize the importance of railroads in shaping the past we share. But this year, on National Train Day, we should celebrate our past by looking to the future.

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

THE PRESIDING OFFICER (Mr. UDALL of Colorado). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

MR. WYDEN. 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. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

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

HEALTH CARE

MR. WYDEN. Mr. President, the Senate Finance Committee, on which I serve, is about to take up the toughest issue in the debate about health care reform; that is, the question of how to pay for it.

To be credible, that means showing that you are not going to sit around and wait for years and years to start cutting costs but, in fact, you are going to start generating savings, in the \$2.5 trillion our country spends on health care, quickly. And you must do it in a bipartisan fashion that is acceptable to our people.

So, today, I offer the four pillars of immediate health care cost containment. Each one of these pillars is an idea that is supported by influential Democratic Senators and influential Republican Senators in the Senate.

The first pillar of immediate health care cost containment requires that

there be tax relief for the middle class but no more tax subsidies for designer smiles. It sounds incredible, but today hard-working middle-class folks who are uninsured or underinsured—every day—watch their taxes go to subsidize designer smiles for the most affluent that would be worthy of Hollywood.

The first pillar of health care cost containment starts saving billions of dollars immediately by taking away unneeded tax breaks and beefing up health care tax relief for middle-class workers and their families.

The second pillar of immediate health care cost containment means taking an axe to health care administrative costs. Americans are drowning in health care rules and administrative hassles. Now you can junk the health care bureaucracy by doing everything just once: signing up for the health care you want; paying for it through the withholding system you use with every paycheck; keeping what you have, if you leave your job, or your job leaves you; and easily finding out about the costs and quality of health care services that are near you, and doing it on line.

The third principle of immediate health care cost containment is everybody is in, and everyone has to be personally responsible. You cannot lower health care costs in this country without good, quality, affordable coverage for all. If you do not cover everyone, there is too much cost shifting and not enough prevention.

Personal responsibility is just as important. Americans cannot fix health care unless everyone secures basic coverage, with extra help for folks who would have difficulty affording that. More than 11 million people with incomes of well over \$60,000 do not buy basic health insurance, and that is part of the reason hospital emergency rooms are so busy in America. Cutting health care costs means getting everybody in the system, and it means everyone would be personally responsible.

Finally, the fourth principle of immediate health care cost containment is a revolution in health insurance. Today, health insurance is about cherrypicking. The private insurance companies scour your health history, and they want you if you are healthy and wealthy. Sick people, on the other hand, are sent to Government programs more fragile than they are.

Holding down costs soon means changing this, prohibiting the insurance companies from discriminating against those with illnesses and requiring a system that features real competition—real competition where the insurance industry does not compete to see who is the best at leaving out those who have health problems but competition that is based on benefit and quality and price. That is not Government-run health care. That is old-fashioned competition—the kind of bedrock principles of competition our country understands.

When insurance companies compete on the basis of price, benefit, and qual-

ity, that is about as pure a kind of competition as you could have in our country, and it would revolutionize the health insurance business in our country.

Each one of these four pillars of immediate health care cost containment is supported by influential Democrats and Republicans in the Senate. If these four principles were adopted, the Senate could go to the country and show our people that on the health issue they care about the most—which is containing costs—the Senate has a plan for cost containment that will kick in quickly, in the next few years—not something for which you have to wait 10, 15, 20 years from now. And certainly there are a lot of changes in the health care system that ought to be made now because they will save money in 10 or 15 years.

But the four pillars of immediate health care cost containment I outlined this afternoon—tax relief for the middle class and no more tax breaks for designer smiles; taking an axe to health care administrative costs; everybody in the system, and everyone personally responsible; and a revolution in the health insurance business—those are ideas that are now sponsored by Democrats and Republicans in the Senate and will soon save health care costs. They will reduce health care costs, and do it quickly, so that the Senate can be credible with the country on this issue of health care reform.

There are other important principles to this question of getting health care on track. Chairman BAUCUS, in my view, has done yeoman work in terms of his sessions to look at the various issues—delivery and coverage.

I have made the case, with considerable passion, on the coverage question that I think Americans want on the coverage issue—coverage that is at least as good as Members of Congress have—and the Congressional Budget Office has said it is possible to pay for that, again, with the kinds of principles of cost containment I have outlined. Other colleagues, I am sure, will have other views with respect to what the basic benefit package ought to be about.

I also think it is going to be very important to send a straightforward message to those who have coverage that there are considerable benefits for them in reform as well. We have talked on this floor before—Democrats and Republicans—about making sure everybody can keep the coverage they have. That is something Senators hear about at every meeting they have when they discuss health care, and I think there are going to be 100 Senators voting in favor of the principle that all our people ought to be able to keep the coverage they have.

But there are two other words I think those people with coverage are looking for. I say to the Presiding Officer, you and I have had some discussion on this issue before. Those folks with coverage want to hear about how they are going

to be wealthier and healthier with the health care reform legislation that would be passed in the Congress. On this issue, the fundamental question is going to be about increasing the choices that individuals have for their coverage.

I have not spoken about this on the floor of the Senate in the past, but I was flabbergasted to learn that those who are lucky enough to have employer-based coverage in this country—of that group, 85 percent of them get no choice at all. They get one package, and that is it. So you have 85 percent of the people in this country who are lucky enough to have health care coverage who do not get what their elected officials from Colorado and Oregon and everywhere get.

We get a full menu of health care choices. Of course, that is a big factor in holding down health care costs for all because then you have some competition. And if one company does not do well in 2009, everybody is off in 2010 and choosing somebody else.

So it is going to be very important to show those with coverage—people who want to be healthier and wealthier after health care reform is passed—that one of the ways to get some additional money in your pocket is to have more choices. Because when you have only one choice, of course, there are not the kind of competitive juices at work in your health care system that even Members of Congress have.

So what I have been interested in is saying that if you want to stay with your employer's package—absolutely—Democrats and Republicans in the Senate are committed to doing that. But if you, for example, want to choose one of the private alternatives that would be established in health reform legislation, and would be certified by your State as protecting consumers, you ought to be able to make that choice. And if in making that choice you save money relative to what it might cost for your employer's package, you get to get those savings and—without offense to Colorado—you can use the money to go fishing in Oregon because we have created a marketplace.

So I wanted to come today and lay out the four immediate principles of health care cost containment. I think there will be other central questions, such as the issue of coverage and the question of how to make sure the Senate keeps faith with the 160 million people—it is about 160 million people, on any given day, who have employer-based coverage and wish to keep what they have—who would like to be healthier and wealthier, and, finally, if they want to leave their job or their job leaves them, their coverage ought to be portable and they can take it with them.

Finally, let me note that I think Chairman BAUCUS and Senator GRASSLEY, the leaders on the Finance Committee, are doing an exceptionally good and an exceptionally fair job in terms of tackling this issue. The fact

is, health care reform, particularly financing it, is not a subject for the fainthearted. There is a reason this issue has been tough to tackle since the days of Harry Truman of 60 years ago. But under the leadership of Chairman BAUCUS and Senator GRASSLEY and the Finance Committee—and I think I can speak for Senators on both sides of the aisle that we are very appreciative of what Chairman KENNEDY and Senator ENZI are doing in the HELP Committee. The four of them are our committee leaders, our chairs and our ranking minority members. I believe that this time, after 60 years of working on this issue, it can get done.

The fact is, for health reformers, the history of trying to fix health care is almost the story of unrequited love. If you look back on this issue, almost every 15 years reformers say: This is the time. I finally found the one. I am going to be able to have my dreams realized.

Of course, it has been exactly 15 years since the last effort in 1994, during the Clinton years. Harry and Louise pretty much soured that romance in 1993 and 1994. But I do think, largely because of the good work being done by Chairman BAUCUS and Senator GRASSLEY and Chairman KENNEDY and Senator ENZI, this year is different. A lot of colleagues on both sides of the aisle have moved toward an approach that I believe will allow us to come together.

There is a recognition that Democrats have been right on the proposition that if you fix this, you have to cover everybody. If you don't get all Americans high-quality, affordable coverage, you have that cost-shifting I spoke about and inadequate attention to prevention. I think there is a recognition that colleagues on the other side of the aisle in the Republican Party are making valid points as well. There ought to be private choices. It is important not to freeze innovation. We ought to stay clear of price controls. So there is an opportunity now, with the Senate being led by two very fine chairs and ranking minority members, to get this done.

I will close with an observation from a number of economists. Our country clearly is concerned about the cost of these bailouts and financial obligations in the banking and housing sector. Most of those folks believe that the astounding sums being spent on financial bailouts—they are going to look like a rounding error if health care is not fixed. So the stakes are very high. Fixing the economy means fixing health care.

With the principles I have outlined here today, the four immediate principles of health care and cost containment, I think the Senate can get off on the most important and most difficult issue of health care—containing costs—and do it in a bipartisan way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CRAIG FUGATE NOMINATION

Mr. NELSON of Florida. Mr. President, a couple of weeks ago, Senator MARTINEZ and I had the privilege of introducing Craig Fugate, President Obama's nominee for the head of FEMA, before the Senate Homeland Security and Governmental Affairs Committee. The committee promptly reported him right out. It is because he is so uniquely qualified.

Craig has served as the director of emergency management in our State since 2001, and he has overseen the response to 11 Presidential declared disasters in our State. He is one of the most respected leaders in emergency management in the country, and he is the one—if you want a pro's pro—with the experience and the expertise FEMA needs at this time. Why? Look at how he came up: a former firefighter, a paramedic, a fire rescue lieutenant, an emergency manager. All of that was at the local government level, Alachua County, which is Gainesville, FL.

He spent 15 years working in local emergency management before he went up to the Emergency Operations Center at the State level. Since he has become the director of emergency management, he has handled the responses to the landfall of five major hurricanes in Florida, and that was within a 2-year time period.

I will never forget when Hurricane Charley came barreling up the southwest Florida coast headed straight for Tampa Bay. Suddenly, at the last minute, it took a right-hand turn and it went right up Charlotte Bay. Ground zero was Punta Gorda, FL.

By the way, people had evacuated Tampa and then come down to the hotels, especially the Holiday Inn Punta Gorda, and here they are right in the middle of the storm.

That storm was so intense that it blew the roof off of the Charlotte County Emergency Operation Center. They had to evacuate the CCEOCC in the middle of the storm. I got there later that day, after the storm hit that morning, and I will never forget seeing Craig in the mobile emergency operation center that the State of Florida brought in as he was taking over and directing operations in the midst of that chaos. Our Florida emergency management response to disasters—with a sense of urgency and efficiency—has emerged as a role model for disaster preparation and disaster response. That, in large part, has been as a result of the leadership of Craig Fugate.

It is also very interesting, when you respond to these kinds of national disasters, that you have cooperation between the civilian emergency response

and the National Guard. Of course, the Florida National Guard is the best in the business because they know how to take care of business when it comes to emergency response to hurricanes.

Under Craig's leadership, Florida has become the first State to receive full accreditation for its emergency management program. Craig not only has creativity but a sense of humor. He judges things after a hurricane by the "Waffle House" test. He says if the Waffle House is open after the hurricane, that means there is power and water in there. If the Waffle House is closed, things are pretty bad, and a lot of things have been shut down. If the Waffle House is open and they have a limited menu, then it generally means the power has been out for quite a while because everything in their freezer has melted and has spoiled.

I think Craig's exemplary service speaks for itself.

Mr. President, I ask unanimous consent that a number of documents be printed in the RECORD, including a letter from Governor Crist, and a letter from a host of organizations, all the way from the Public Works Association, the American Red Cross—I will not list them all, but it goes through the National Wildlife Federation and the Reinsurance Association of America. Another one is by the Council of State Governments. Everybody is singing Craig Fugate's praises.

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

APRIL 17, 2009.

Hon. BILL NELSON,
U.S. Senate, Washington, DC.
Hon. MEL MARTINEZ,
U.S. Senate, Washington, DC.

DEAR SENATORS NELSON AND MARTINEZ: I would like to extend my most sincere appreciation to you for introducing Florida Division of Emergency Management Director Craig Fugate at his United States Senate confirmation hearing on Wednesday, April 22. Craig's nomination to be the Director of the Federal Emergency Management Agency instills a great sense of pride in all Floridians. Although his confirmation would mean that we are losing a great asset to our state, Craig's renowned expertise in disaster preparedness, response, recovery, and mitigation activities will, without a doubt, benefit our entire nation.

As you well know, Craig has consistently proven to be among the most respected leaders in emergency management through his outstanding work and vast experience. As the Director of the Florida Division of Emergency Management, Craig has dealt with every type of natural disaster ranging from wildfires to hurricanes, and he has managed them all effectively through his total commitment to ensuring the safety of Florida's citizens.

For Craig, success is not about personal glory. Instead, it is about building a great team that takes action to prepare for, and respond to, disasters and their impacts. I know we share the belief that Craig would utilize this same leadership philosophy as FEMA director.

In advance, thank you for helping to shepherd the nomination of Craig Fugate through the United States Senate. It is exciting to see the hard work and expertise of