I have already made on adjustment pursuant to section 401(c)(4) for the bill reported by the Senate Committee on Appropriations making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes. The reported legislation was offered as a complete substitute to H.R. 2346, a bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

I now file further changes to S. Con. Res. 13 pursuant to section 401(c)(4) for an amendment offered under the authority of the Senate Committee on Appropriations. I find this amendment satisfies the conditions of section 401(c)(4). As a result, for fiscal years 2009 and 2010, I am further revising both the discretionary spending limits and the allocation to the Senate Committee on Appropriations for discretionary budget authority and outlays. For 2009, the total amount of the adjustment is $925 million in discretionary budget authority and $34 million in outlays. For 2010, the total amount of the adjustment is $661 million in outlays. With the further adjustment in budget authority in 2009, the Senate will have used $89.215 billion of the $90.745 billion permitted in adjustments under section 401(c)(4). Finally, I am also further adjusting the aggregates consistent with section 401(c)(4) of S. Con. Res. 13 and to reflect the changes made by this amendment.

I ask unanimous consent that the following revisions to S. Con. Res. 13 be printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532.571
FY 2010	1,653.682
FY 2011	1,929.625
FY 2012	2,129.601
FY 2013	2,291.120
FY 2014	2,495.781
(1)(B) Change in Federal Revenues:	
FY 2009	0.000
FY 2010	−12.304
FY 2011	−159.006
FY 2012	−230.792
FY 2013	−224.217
FY 2014	−137.877
(2) New Budget Authority:	
FY 2009	3,674.397
FY 2010	2,888.696
FY 2011	2,844.910
FY 2012	2,848.117
FY 2013	3,012.193
FY 2014	3,188.847
(3) Budget Outlays:	
FY 2009	3,358.510
FY 2010	3,003.315
FY 2011	2,968.400
FY 2012	2,882.775
FY 2013	3,019.404
FY 2014	3,174.836

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) TO THE ALLOCATION OF BUDGET AUTHORITY AND OUTLAYS TO THE SENATE APPROPRIATIONS COMMITTEE AND THE SECTION 401(b) SENATE DISCRETIONARY SPENDING LIMITS

[In millions of dollars]

	Initial allocation/limit	Adjustment	Revised allocation/limit
FY 2009 Discretionary Budget Authority	1,479,761	925	1,480,686
FY 2009 Discretionary Outlays	1,247,196	34	1,247,230
FY 2010 Discretionary Budget Authority	1,082,255	0	1,082,255
FY 2010 Discretionary Outlays	1,304,224	661	1,304,885

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

CONFIRMATION OF MARGARET HAMBURG

• Mr. KENNEDY. Mr. President, I commend my Senate colleagues for confirming the President's nominee for FDA Commissioner, Dr. Margaret Hamburg. Strong, new leadership is needed to improve the operations and morale of the agency and make the FDA again the world class agency that Americans trust to protect the health of their families.

Dr. Hamburg's expertise in community health, biodefense, and nuclear, biological, and chemical preparedness is well-known and highly respected, and her experience makes her eminently well-qualified to lead the FDA at this difficult time.

As a student and researcher, Dr. Hamburg learned first hand about many of the issues which confront the FDA. Later, at the Office of Disease Prevention and Health Promotion, as assistant director of the National Institute of Allergy and Infectious Diseases at NIH, and as the commissioner of the New York City Department of Health and Mental Hygiene, she proved herself to be a brilliant scientist and leader. Her skills were particularly impressive on tuberculosis, which was the leading infectious killer of youths and adults in the city in the 1990s and had become resistant to standard drugs. Within 5 years, the TB rate in New York City fell by 46 percent overall, and 86 percent for the most drug-resistant strains.

Dr. Hamburg's impressive experience was further enhanced by her service as President Clinton's Assistant Secretary for Policy and Evaluation at HHS, as a member of the Institute of Medicine, and as vice president for Biological Programs at the Nuclear Threat Initiative.

Dr. Hamburg will face many challenges as FDA Commissioner but she is obviously well-prepared to deal with them. She has impressive experience in both clinical practice and research, and her background makes her ideal to lead the FDA as it combats food-borne illnesses, works with other agencies to combat disease outbreaks, and protects our food, drugs, and medical devices. Her confirmation marks the beginning of a welcome new era at FDA, and I look forward very much to working with her.•

Mr. ENZI. Mr. President, I rise today to congratulate Dr. Margaret Hamburg on her confirmation last night by the Senate to be commissioner of the Food and Drug Administration. I wish to also thank Dr. Hamburg for her previous public service and her willingness to once again go through the process of Senate confirmation. The vetting process for executive nominees is thorough and not without some degree of personal and professional sacrifice. I thank Dr. Hamburg for her willingness to serve.

Dr. Hamburg is an internationally recognized leader in public health and medicine, and an authority on global health, public health systems, infectious disease, bioterrorism and emergency preparedness. This background is especially important given that the swine flu—H1N1 influenza—has been on the front pages for several weeks and spread across the globe during that time. Dr. Hamburg has a tremendous amount of experience with emergency preparedness.

The FDA has a very broad and critical mission in protecting the public health. Dr. Hamburg is in charge of an agency that regulates $1 trillion worth of products a year. The FDA ensures the safety and effectiveness of all drugs, biological products such as vaccines, medical devices, and animal drugs and feed. It also oversees the safety of a vast variety of food products as well as medical and consumer products, including cosmetics.

As commissioner of the FDA, Dr. Hamburg is responsible for advancing the public health by helping to speed innovations in its mission areas, and by helping the public get accurate, science-based information on medicines and foods.

Another core mission of FDA is approving drugs and ensuring their safety. However, the FDA can not ensure the safety of deadly products such as tobacco—it kills people, not cures them. Yet this week the HELP Committee, of which I am the ranking member, is set to consider legislation that would require the FDA to regulate tobacco. At a time when federal dollars are stretched and resources are limited, I have serious concerns about adding more statutory responsibilities at FDA. In addition, given the recalls of spinach, peanuts, peppers, and tomatoes over the past two years, FDA's resources are already stretched too thin on the food safety front.

I represent a State that has substantial agricultural interests. Food safety and food labeling are critically important to me and my constituents. I am hopeful that Dr. Hamburg and I can work together on protecting the American food supply.

Additionally, I look forward to working with the new commissioner to restore the FDA's status as one of the strongest regulatory agencies in the world. I have no doubt that with the right leadership in place and with Congressional oversight, the FDA will again be the gold standard and our regulatory process the envy of the world.

Given Dr. Hamburg's expertise in emergency preparedness, pandemics and public health, I am pleased that the Senate acted quickly on this nomination. Again, I would like to congratulate Dr. Hamburg on her confirmation.

Mr. DURBIN. Mr. President, yesterday the Senate confirmed Dr. Margaret ''Peggy'' Hamburg as Commissioner of the Food and Drug Administration, FDA.

Dr. Hamburg comes to the job at a time when our Nation's food safety system is in crisis. In the last couple of years we have seen nationwide outbreaks associated with spinach, tomatoes and peppers, and peanuts and peanut butter. With peanuts, we also saw the biggest food recall in our nation's history as hundreds of companies recalled thousands of products from crackers to ice cream to even pet food. Our food safety problems don't just start and stop at home: we have also seen chemically tainted pet food, milk products, and seafood from China.

It is no secret that our food safety system is in serious trouble. It is all over the headlines. It's also no secret that the FDA the agency responsible for protecting nearly 80 percent of our food hasn't kept up, with its outdated statutes, eroding budgets, and inadequate resources and authorities.

Congress hasn't passed a major food safety bill in decades, and we are seeing the results of that inaction. More than 76 million Americans become sick because of a food-borne illness each year, 325,000 are hospitalized, and 5,000 die. Companies lose the confidence of their customers and shareholders, and they lose profits. Some experts estimate that the peanut growers will lose $1 billion as a result of the latest outbreak. Kellogg, just one company among hundreds, lost $70 million.

The time for comprehensive food safety reform is long past due. In March, Senator GREGG and I introduced the FDA Food Safety Modernization Act, a bipartisan bill that gives the FDA the new authorities and resources it needs to protect our food supply. This bill improves the FDA's capacity to prevent, detect, and respond to food safety problems, whether it's salmonella-tainted peanut butter from Georgia or melamine-spiked baby formula from China.

For the first time in a long time, we are also seeing leadership on food safety from the other end of Pennsylvania Avenue. The Food Safety Working Group, led by Health and Human Services Secretary Kathleen Sebelius and Agriculture Secretary Tom Vilsack, is doing what hasn't been done in decades: taking a comprehensive, coordinated look at the outdated food safety laws on the books and making recommendations on reform.

Last week I had the opportunity to attend a first-ever listening session hosted by the White House focused on food safety reform. This was a chance for members of Congress, the administration, consumer groups, and industry to come together and talk about the challenges facing the safety of our food supply as well as the solutions.

Dr. Hamburg, with her public health expertise and impressive record of success as former health commissioner of New York City, is a welcome addition to the working group. I had a chance to meet with Dr. Hamburg before her confirmation. During our meeting, as well as in her confirmation hearing, she made clear her commitment to the long term goal of transforming food safety oversight at FDA to focus on the public health goal of prevention. I am confident that she is the right person to tackle this challenge and others facing the FDA, and to restore morale and public confidence in the agency. I look forward to working with her and the other members of President Obama's food safety working group to enact FDA food safety legislation this year.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

GEORGE MITCHELL SCHOLARS

● Mr. KENNEDY. Mr. President, today, Taoiseach Brian Cowen met with the ninth class of George J. Mitchell Scholars. His decision to meet with this impressive group of students demonstrates the major contribution this program is making to strengthen the future of the United States-Ireland relationship.

The United States-Ireland Alliance was created in 1998 by my former foreign policy adviser, Trina Vargo. With limited resources and staff, the alliance has been at the forefront of recognizing, and then responding to, the fundamental changes in the United States-Ireland relationship.

The Mitchell Scholarship program is the keystone of the United States-Ireland Alliance. It has been led ably by Mary Lou Hartman, and has gone from strength to strength. In a few short years, the program has become as competitive and as sought after as other renowned scholarships such as the Rhodes, Marshall, and Fulbright Scholarships. This year, 300 people applied for the 12 annual Mitchell Scholarships. I have followed the causes of these former Mitchell Scholars and they are already making outstanding contributions and reflect the commitment to service exemplified by our former Senate colleague, George Mitchell.

One former Mitchell Scholar, Seena Perumal, lives in Cambridge, MA, where she serves is chief of staff for the Massachusetts Division of Health Care Finance and Policy. Seena graduated with a bachelor's degree in religion and a master's in public health from Case Western Reserve University. She founded and was president of Project Sunshine, which serves hospitalized children, and founded and was president of Alternative Break, an organization that helps organize community service trips during spring breaks from college. She also worked with Cleveland Jobs With Justice, a group that ensures workers' rights. As a Mitchell Scholar, she obtained a master's degree in international human rights at the National University of Ireland in Galway. She then served as the director of new initiatives for the New York City Department of Homeless Services, the agency that oversees policies and programs for the city's approximately 37,000 homeless persons.

The U.S. Government has provided $500,000 each year for the Mitchell Scholarship Program. I commend Irish businessman Derek Quinlan for his commitment to raise 20 million euros toward establishing a permanent endowment for this program. The Irish Government has agreed to match what is raised for this impressive program, and I am sure that United States-Ireland ties will continue to benefit significantly from these important scholarships in the years ahead.●

LETTER TO MEDTRONIC, INC.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that my letter dated May 18, 2009, to Medtronic, Inc. be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, May 18, 2009.

BILL HAWKINS,
President and Chief Executive Officer, Medtronic, Inc., Medtronic Parkway, Minneapolis, MN.

DEAR MR. HAWKINS: The United States Senate Committee on Finance (Committee) has jurisdiction over the Medicare and Medicaid programs. As a senior member of the United States Senate and as Ranking Member of the Committee, I have a special responsibility to protect the health of Medicare and Medicaid beneficiaries and safeguard taxpayer dollars authorized by Congress for these programs. This includes the responsibility to conduct oversight of the health care industry, including makers of medical devices, which receive hundreds of billions of taxpayer dollars every year for the care of Americans.

In carrying out this duty, I have been examining the substantial financial ties between the device industry and practicing physicians. I have also been examining the safety and cost of medical devices that are sold to the American public. As the largest medical device company in the United States, the practices of Medtronic, Inc. (Medtronic) have a profound impact on American healthcare.

Last October, I sent you a letter asking Medtronic to disclose payments to ''all physicians with whom Medtronic has consulting agreements for Infuse.'' This request was spurred by an article in the Wall Street