

failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session is considered to be a separate regular session of the State legislature.

SEC. 303. REPORT TO CONGRESS REGARDING NEED FOR MINIMUM ANNUAL COMPOUND INFLATION PROTECTION.

Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall submit a report to Congress that includes the Secretary's recommendation regarding whether legislative or other administrative action should be taken to require all long-term care insurance policies sold after a date determined by the Secretary in connection with a qualified State long-term care insurance partnership under clause (iii) of section 1917(b)(1)(C) of the Social Security Act (42 U.S.C. 1396p(b)(1)(C)) or a long-term care insurance policy offered in connection with a State plan amendment described in clause (iv) of such section, provide, at a minimum, 5 percent annual compound inflation protection, and if so, whether such requirements should be imposed on a basis related to the age of the policyholder at the time of purchase. The Secretary shall include in the report information on the various levels of inflation protection available under such long-term care insurance partnerships and the methodologies used by issuers of such policies to calculate and present various inflation protection options under such policies, including policies with a future purchase option feature.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 167—A BILL COMMENDING THE PEOPLE WHO HAVE SACRIFICED THEIR PERSONAL FREEDOMS TO BRING ABOUT DEMOCRATIC CHANGE IN THE PEOPLE'S REPUBLIC OF CHINA AND EXPRESSING SYMPATHY FOR THE FAMILIES OF THE PEOPLE WHO WERE KILLED, WOUNDED, OR IMPRISONED, ON THE OCCASION OF THE 20TH ANNIVERSARY OF THE TIANANMEN SQUARE MASSACRE IN BEIJING, CHINA FROM JUNE 3 THROUGH 4, 1989

Mr. INHOFE (for himself, Mr. BROWN, Mr. GRAHAM, Mr. KYL, Mr. MENENDEZ, Mr. VITTER, Mr. LIEBERMAN, Mr. COBURN, and Mr. WEBB) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas freedom of expression, assembly, association, and religion are fundamental rights that all people should be able to possess and enjoy;

Whereas, in April 1989, in a demonstration of democratic progress, thousands of students took part in peaceful protests against the communist government of the People's Republic of China in the capital city of Beijing;

Whereas, throughout the month of May 1989, the students, in peaceful demonstrations, drew more people, young and old and

from all walks of life, into central Beijing to demand better democracy, basic freedoms of speech and assembly, and an end to corruption;

Whereas, from June 3 through 4, 1989, the Government of China ordered an estimated 300,000 members of the People's Liberation Army to enter Beijing and clear Tiananmen Square (located in central Beijing) by lethal force;

Whereas, by June 7, 1989, the Red Cross of China reported that the People's Liberation Army had killed more than 300 people in Beijing, although foreign journalists who witnessed the events estimate that thousands of people were killed and thousands more wounded;

Whereas more than 20,000 people in China were arrested and detained without trial, due to their suspected involvement in the protests at Tiananmen Square;

Whereas, according to the Department of State, the Government of China has worked to censor information about the massacre at Tiananmen Square by blocking Internet sites and other media outlets, along with other sensitive information that would be damaging to the Government of China;

Whereas the Government of China has continued to oppress the people of China by denying basic human rights, such as freedom of speech and religion, and suppressing minority groups;

Whereas, during the 2008 Olympic Games, the Government of China promised to provide the international media covering the Olympic Games with the same access given the media at all the other Olympic Games, but denied access to certain internet sites and media outlets in attempts to censor free speech;

Whereas the Department of State Human Rights Report for 2008 found that the Government of China had increased already severe cultural and religious suppression of ethnic minorities in Tibetan areas and the Xinjiang Uighur Autonomous Region, increased the persecution of members of Falun Gong, Christians from China, and other religious minorities, increased the detention and harassment of dissidents and journalists, and maintained tight controls on freedom of speech and the Internet;

Whereas the United States Commission on International Religious Freedom in 2009 stated, "The Chinese government continues to engage in systematic and egregious violations of the freedom of religion or belief, with religious activities tightly controlled and some religious adherents detained, imprisoned, fined, beaten, and harassed.;" and

Whereas the China Aid Association reported that in 2007, there were 693 cases in which Christians from China were detained or arrested and 788 cases in which Christian house church groups were persecuted by the Government of China: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people who have sacrificed their personal freedoms and, in the case of the people who demonstrated at Tiananmen Square in 1989, sacrificed their lives and freedom to—

(A) bring about democratic change in the People's Republic of China; and

(B) gain freedom of expression, assembly, association, and religion for the people of China;

(2) expresses its sympathy for the families of the people who were killed, wounded, or imprisoned due to their involvement in the peaceful protests in Tiananmen Square in Beijing, China from June 3 through 4, 1989;

(3) condemns the ongoing human rights abuses by the Government of China;

(4) calls on the Government of China to—

(A) release all prisoners that are—

(i) still in captivity as a result of their involvement in the events from June 3 through 4, 1989, at Tiananmen Square; and

(ii) imprisoned without cause;

(B) allow freedom of speech and access to information, especially information regarding the events at Tiananmen Square in 1989; and

(C) cease all harassment, intimidation, and imprisonment of—

(i) members of religious and minority groups; and

(ii) people who disagree with policies of the Government of China;

(5) supports efforts by free speech activists in China and elsewhere who are working to overcome censorship (including censorship of the Internet) and the chilling effect of censorship; and

(6) urges the President to support peaceful advocates of free speech around the world.

Mr. INHOFE. Mr. President, I rise today to pay tribute to a true American hero, Army Sergeant Schuyler Patch of Owasso, OK, who died on February 24, 2009 serving our Nation in Kandahar, Afghanistan. Schuyler was assigned to the 2nd Squadron, 106th Cavalry Regiment, 33rd Infantry Brigade Combat Team, in the Illinois National Guard, based out of Kewanee, IL.

Schuyler enlisted in the Oklahoma National Guard in March 2005, and volunteered to deploy in 2006 to Afghanistan. In November 2007, he transferred to the Illinois Army National Guard and volunteered a second time to deploy to Afghanistan in support of Operation Enduring Freedom. He was killed alongside four of his fellow Soldiers, when their vehicle was hit by an IED while on a joint patrol with the Afghan National Security Forces. Schuyler leaves behind his father John Patch of Illinois and mother Colleen Stevens of Owasso, Oklahoma. He also leaves behind a sister, Amber Patch and two brothers, Garrett and Seth Patch.

Schuyler was a selfless and courageous Soldier committed to this country and its freedom. His mother, Colleen, said that he died doing what he loved to do; making a difference in the world. She also expressed his love and care for the Afghan children while he was in Afghanistan. Schuyler's sister, Amber said, "He loved everything about the Army and he believed in everything he was doing over there." His aunt, Julie Morland said, "We are all very proud of him for even going over the first time and then volunteering to go over. It takes a special person to even join the Guard in the first place. To go there and fight as a volunteer, it takes a special person."

On Schuyler's online Guest Book, I read through some of the things said about his life and character.

Schuyler's cousin wrote, "Schuyler was not only brave, he was caring and never afraid to show his love for family and friends. A hello was never complete until he gave those he loved a hug . . . the world will be a sadder place without this fun loving, vibrant, kind, generous young man who always made me smile."

Another friend wrote, "He was a great guy and no one that ever knew

him will ever forget him. He is sadly missed and that smile of his will never be forgotten.” Schuyler’s mom Colleen also talked about his incredibly warm smile that will be forever in her mind.

A fellow soldier wrote, “I was proud to have served with [Patch] in Afghanistan in 2006-2007. He was a good guy and liked to make the best of the situation.”

A friend wrote, “We will all miss him and we all love him very much. He was the kind of guy who could cheer you up on your worst day and the most outgoing person I’ll ever know. Thank you Schuyler for all the great memories we had and thank you so much for serving to protect all of us. I love you.”

Captain Jon Prain, a National Guard chaplain who spoke at his funeral, summed up Schuyler’s life well when he said, “He heard freedom’s call. He paid freedom’s price, so that we all might enjoy the benefits of freedom . . . He was, and always shall be, an American soldier.”

Schuyler lived a life of love for his family, friends, and country. He will be remembered by many for his contagious smile and warm, affectionate personality. I am honored to pay tribute to this true American hero who volunteered to go into the fight and gave the ultimate sacrifice by giving up his life for our freedom.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1230. Mr. JOHANNS (for himself, Mr. INHOFE, Mr. CHAMBLISS, Mr. ISAKSON, Mr. RISCH, Mr. VITTER, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. MCCONNELL, Mr. BOND, Mr. ROBERTS, Mr. HATCH, Mr. MARTINEZ, Mrs. HUTCHISON, Mr. WICKER, Mr. BUNNING, Mr. KYL, Mr. SESSIONS, Mr. DEMINT, Mr. CORNYN, Mr. THUNE, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees’ Retirement System, and for other purposes; which was ordered to lie on the table.

SA 1231. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1232. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1233. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1234. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1235. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1236. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1237. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1238. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1239. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1240. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1241. Mr. BROWNBACK (for himself, Mr. KYL, and Mr. BOND) submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1242. Mr. BAYH (for himself, Ms. MURKOWSKI, Mr. BURRIS, Mr. LIEBERMAN, Mr. WARNER, Mr. WEBB, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1243. Mr. DEMINT (for himself, Mr. KYL, Mr. BUNNING, Mr. MARTINEZ, Mr. JOHANNS, Mr. RISCH, Mr. CRAPO, Mr. MCCONNELL, Mr. BOND, Mr. CORNYN, Mr. CHAMBLISS, Mr. COBURN, Mr. ROBERTS, Mr. INHOFE, Mr. BENNETT, Mr. BURR, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1244. Mr. BURR (for himself and Mrs. HAGAN) submitted an amendment intended to be proposed by him to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1245. Ms. STABENOW (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1246. Mr. BURR (for himself and Mrs. HAGAN) submitted an amendment intended to be proposed to amendment SA 1247 proposed by Mr. DODD to the bill H.R. 1256, supra.

SA 1247. Mr. DODD proposed an amendment to the bill H.R. 1256, supra.

SA 1248. Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1249. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1250. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1251. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1252. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1253. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1254. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table.

SA 1255. Ms. STABENOW (for herself, Mr. BROWNBACK, Ms. MIKULSKI, Mr. VOINOVICH, Mrs. SHAHEEN, Mr. BOND, Mr. BURRIS, Mr. DURBIN, Mr. LEVIN, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 1256, supra; which was ordered to lie on the table; as follows:

SA 1256. Mr. SCHUMER (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. AKAKA, and Mr. VOINOVICH) proposed an amendment to amendment SA 1247 proposed by Mr. DODD to the bill H.R. 1256, supra.

TEXT OF AMENDMENTS

SA 1230. Mr. JOHANNS (for himself, Mr. INHOFE, Mr. CHAMBLISS, Mr. ISAKSON, Mr. RISCH, Mr. VITTER, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. MCCONNELL, Mr. BOND, Mr. ROBERTS, Mr. HATCH, Mr. MARTINEZ, Mrs. HUTCHISON, Mr. WICKER, Mr. BUNNING, Mr. KYL, Mr. SESSIONS, Mr. DEMINT, Mr. CORNYN, Mr. THUNE, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees’ Retirement System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONGRESSIONAL APPROVAL OF CERTAIN TARP EXPENDITURES.

Notwithstanding any other provision of law, including any provision of the Emergency Economic Stabilization Act of 2008, on and after May 29, 2009, no funds may be disbursed or otherwise obligated under that Act to any entity, if such disbursement would result in the Federal Government acquiring any ownership of the common or preferred stock of the entity receiving such funds, unless the Congress first approves of such disbursement or obligation.

SA 1231. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees’ Retirement System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2.

SA 1232. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees’ Retirement System, and for other purposes; which was ordered to lie on the table; as follows:

In section 919 of the Federal Food Drug, and Cosmetic Act (as added by section 101), add at the end the following:

“(D) ADJUSTMENTS.—

“(1) INFLATION ADJUSTMENT.—With respect to fiscal years beginning with fiscal year