

you have been to the Senate. That is really true. The people of Alaska are so fortunate to have you in the Senate.

You are very constructive. You protect the State of Alaska like no one I have ever seen look out for the interests of a State.

And I think everyone in the Senate recognizes what a fine person you are, and as the days go on, you are going to get even better. So on a personal note, I appreciate all of your good work.

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

FLAG DAY

• Mr. BYRD. Mr. President, our flag is the most recognizable symbol of the United States, an instant wordless message freighted with history and meaning. The Stars and Stripes is much more than a war banner. Each flag carries visions of smoke-clouded battles, to be sure, but also visions of brave explorers venturing into new lands, astronauts landing on the moon, athletes celebrating Olympic victories, and of coffins carried on somber caissons to a final honored resting place. Old Glory also marks every great American moment, from presidential inaugurations that celebrate the peaceful transition of power in our democracy to the defiant unfurling of flags over the battered ruins of the Pentagon and the Twin Towers.

June 14 is Flag Day. Although flags fly every day in front of many Federal, State and local office buildings every day, and many flags are displayed on other holidays such as the Fourth of July, Memorial Day, and Veterans Day, only on Flag Day do we honor the flag itself.

The first national observance of Flag Day was in 1877, though it was not until 1949 that President Truman signed into law legislation recognizing the anniversary of the adoption, on June 14, 1777, by the Continental Congress, of the Stars and Stripes as the official flag of the United States.

In earlier years, much more was done to mark the occasion of Flag Day. Schools educated students on the rituals and principles of citizenship, and held patriotic programs to honor the flag. These days, it is enough to mark the day by flying the flag. I hope that many Americans will do so, and do it properly—hoisting the flag up smartly, bringing it down reverently, and folding it away again properly. Once it is up and flapping in the breeze, take just a moment to admire it, or to say the Pledge of Allegiance.

On June 14, 1777, a congressional committee established the design of our flag in a few short words. The record notes simply that “. . . the flag of the thirteen United States be thirteen stripes alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.” In the years since, the number of stars in that constellation

has expanded, but the brave ideals that it represents—that all men were created equal, endowed by their Creator with certain unalienable rights including life, liberty and the pursuit of happiness—shine as true today as they have since 1776.

Our flag is a symbol that goes well beyond the cloth out of which it is fashioned. It is America, and long may it wave.

I close with a favorite poem of mine, by Henry Holcomb Bennett, that I like to recite on Flag Day. It never fails to stir my spirits, as I hope it does for those listening.

THE FLAG GOES BY

(By Henry Holcomb Bennett)

Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums,
 A flash of color beneath the sky:
 Hats off!
 The flag is passing by!
 Blue and crimson and white it shines,
 Over the steel-tipped, ordered lines.
 Hats off!
 The colors before us fly;
 But more than the flag is passing by.
 Sea-fights and land-fights, grim and great,
 Fought to make and to save the State:
 Weary marches and sinking ships;
 Cheers of victory on dying lips;
 Days of plenty and years of peace;
 March of a strong land's swift increase;
 Equal justice, right, and law,
 Stately honor and reverend awe;
 Sign of a nation, great and strong
 Toward her people from foreign wrong:
 Pride and glory and honor,—all
 Live in the colors to stand or fall.
 Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums;
 And loyal hearts are beating high:
 Hats off!
 The Flag is passing by!•

XLIV COMPLIANCE

Mrs. LINCOLN. Mr. President, paragraph 4 of rule XLIV of the Standing Rules of the Senate provides that, “If during consideration of a bill or joint resolution, a Senator proposes an amendment containing a congressionally directed spending item, limited tax benefit, or limited tariff benefit which was not included in the bill or joint resolution as placed on the calendar or as reported by any committee, in a committee report on such bill or joint resolution, or a committee report of the Senate on a companion measure, then as soon as practicable, the Senator shall ensure that a list of such items (and the name of any Senator who submitted a request to the Senator for each respective item included in the list) is printed in the CONGRESSIONAL RECORD.”

The term “congressionally directed spending item” is broadly defined to include “a provision or report language included primarily at the request of a Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority

for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.” In accordance with rule XLIV, I provide the following information relating to my amendment. No. 1181, that was adopted by the Senate during consideration of H.R. 2346. The amendment will modify interest limitations allowable in a State, as defined in 12 USC 1831 u(f), where the maximum rate of interest is not more than 5 percent above the Federal Reserve discount rate—Arkansas. Specifically, it will relax the maximum rate of interest allowed, increasing it to seventeen percent, effective from date of enactment through December 31, 2010. The provision is generally applicable to any lending occurring within that state that is not conducted by an insured depository institution. I am the principal sponsor of the amendment.

Mrs. HUTCHISON. Mr. President, I submit pursuant to paragraph 4(a) of rule XLIV of the Standing Rules of the Senate the following congressionally directed spending item that I requested during consideration of H. R. 2346, the fiscal year 2009 supplemental appropriations bill, and I ask that it be printed in the RECORD.

The material follows.

For purposes of qualification for loans made under the Disaster Assistance Direct Loan Program as allowed under Public Law 111-5 relating to disaster declaration DR-1791 (issued September 13, 2008) the base period for tax determining loss of revenue may be fiscal year 2009 or 2010.

Mr. President, I submit pursuant to paragraph 4(a) of rule XLIV of the Standing Rules of the Senate the following congressionally directed spending item that I requested during consideration of H. R. 2346, the fiscal year 2009 supplemental appropriations bill, and I ask that it be printed in the RECORD.

The material follows.

For areas affected under FEMA-1791-DR, 100 percent federal funding under the Public Assistance Program for debris removal, 90 percent federal funding for all other categories of public assistance, and 90 percent federal funding for Hazard Mitigation.

SBIR/STTR REAUTHORIZATION ACT OF 2009

Ms. SNOWE. Mr. President, I rise today to speak on support of S. 1233, the SBIR/STTR Reauthorization Act of 2009, a bipartisan measure I recently introduced with Senator LANDRIEU. As former chair and now ranking member of the Senate Committee on Small Business and Entrepreneurship, I have long championed critical small business programs such as the Small Business Administration's Small Business Innovation Research, SBIR, and Small Business Technology Transfer, STTR, programs, which direct more than \$2 billion in Federal research and development—R&D—funding each year to

small businesses across our nation to encourage them to innovate and commercialize new technologies, products, and services. Our legislation would provide key improvements to the SBIR and STTR programs, which were last reauthorized in 2000 and 2001, respectively.

As our Nation emerges from this devastating recession, the worst since World War II, we must ensure that America once again brings to bear the kind of ingenuity, creativity, and innovation that made America and our free market economy the greatest, most powerful on Earth. Indeed, innovation is the “space race” of the 21st century—only this time it is not the U.S. versus Russia; it is the U.S. versus every nation that is jockeying for the lead position and an economic foothold.

The bill we have introduced will greatly help America win this race. It is structured upon a comprehensive measure that our committee passed unanimously, on a bipartisan basis in both the 109th and 110th Congresses. Our legislation includes commonsense enhancements intended to incentivize more small businesses to participate in these vital programs. The bill would increase the size of phase I program awards from \$100,000 to \$150,000, and phase II awards from \$750,000 to \$1 million. It would also peg future award increases to inflation. These pivotal reforms represent a well-spring of indispensable technological-fuel to the small business engines that drive our Nation’s innovation.

Since the SBIR program was created in 1982, small technology firms have received more than 77,000 awards worth approximately \$24 billion. The SBIR program has tremendous job creation potential. A recent National Academy of Sciences study, which focused on firms winning phase II SBIR awards in fiscal years 1992 through 2002 found that, as a result of their SBIR award, small firms were able to hire an average of 2.4 employees, retain 2.1 more, and over time these firms, on average, each generated 30 jobs.

Our legislation would increase the SBIR allocation—currently 2.5 percent of Federal agencies’ extramural R&D funds—by 1 percent over 10 years and double the STTR allocation over 5 years to 0.6 percent. By doubling the percentage of Federal R&D dollars that the STTR program receives each year, and increasing the SBIR percentage by 1 percent over 10 years, we will infuse another \$1 billion into the small business economy. With our economy reeling, the SBIR and STTR programs are more essential than ever, if we are to capitalize on the groundbreaking capacities of our Nation’s pioneering small businesses.

While innovation in areas such as genomics, biotechnology, and nanotechnology present new opportunities, converting these ideas into marketable products involves substantial funding challenges. Many small businesses sim-

ply cannot afford the exorbitant cost of developing and bringing a product into the marketplace. In order to confront this challenge, this legislation offers a compromise solution to the venture capital issue that has recently divided members of this committee and the SBIR community. Last Congress, I worked with Senators KERRY, BOND, LIEBERMAN, COLEMAN, and others, to develop a key compromise on this issue that would permit limited venture capital investment in the SBIR program.

Our bill retains this bipartisan compromise and would allow limited involvement of firms majority-owned by venture capital companies in the SBIR program. Specifically, a maximum of 18 percent of SBIR funding at the National Institutes of Health and 8 percent at all other qualifying agencies may be directed to small firms majority-owned by venture capital companies. Our compromise was strongly supported by the stakeholder community, and is consistent with the recent findings of the National Academy of Sciences and Government Accountability Office regarding venture capital investment in SBIR awardees. Additionally, we leave in place well-established SBA “affiliation” rules designed to preserve the intent of the SBIR program by limiting participation to small businesses.

Other key provisions in this vital legislation include the reauthorization and enhancement of my SBIR Defense Commercialization Pilot Program. Senator KERRY and I created this program in the 108th Congress to encourage the award of contracts to SBIR firms. In addition, we would offer this program to all other participating agencies. The bill also would reauthorize and increase funding from \$2 million to \$5 million for the Federal and State partnership program which would allow each state—including Maine—to receive funding in the form of a grant to make available an array of services in support of the SBIR program.

Now, more than ever, we in Congress must do everything within our power to help small businesses drive the recovery of our economy. It is imperative that we reauthorize the SBIR and STTR programs, particularly before the program terminates at the end of July. I look forward to working with my colleagues on both sides of the aisle to pass this vital measure in the committee and full Senate, as we move forward to reauthorize these vital programs.

NOMINATION OF STANLEY McCHRYSTAL

Mr. FEINGOLD. Mr. President, I oppose the nomination of LTG Stanley McChrystal to command U.S. forces in Afghanistan for two reasons. The first relates to a classified matter about which I have serious concerns. I have conveyed those concerns in a letter to the President. The second issue is interrogation.

At his public confirmation hearing, General McChrystal responded to a question from Chairman LEVIN regarding interrogation policies that “included stress positions, the use of dogs and nudity” by stating that “[s]ome of them were in use when I took over, sir, and then, as we immediately began to reduce that.” When asked whether he was “uncomfortable with some of the techniques” in use, he replied “[w]hen I took over, I was.”

However, following the hearing, Chairman LEVIN sent General McChrystal a question for the record describing many of the 14 interrogation techniques not listed in the Army Field Manual that were authorized under General McChrystal’s command, up until May 6, 2004, when CENTCOM Commander General John Abizaid suspended the use of all such techniques. Chairman LEVIN’s question then described a request from General McChrystal, submitted 3 weeks after the suspension, to continue using a number of these techniques, including “sleep management,” “environmental manipulation,” and “control positions.” The request defined “control positions” as “requiring the detainee to stand, sit, kneel, squat, maintain sitting position with back against the wall, bend over chair, lean with head against wall, lie prone across chairs, stand with arms above head or raised to shoulders, or other normal physical training positions” and requested that “in the most exceptional circumstances, and on approval from [the commander]” interrogators be allowed to “use handcuffs to enforce the detainee’s position.”

Asked to square his public testimony with this record, General McChrystal responded that, when he took command in 2003, he reviewed the interrogation program and, in March 2004, “reduc[ed] the frequency of use of several of the techniques” by requiring high-level approval. He also looked to “increase the effectiveness of the entire process and make it more humane” but offered no specifics other than “improved facilities” and improvements in the use of other, non-“enhanced” techniques. General McChrystal then acknowledged that he personally requested approval from General Abizaid to continue using several of the techniques that had just been suspended, including “control positions.” General Abizaid rejected the use of “control positions,” and, according to the Senate Armed Services Committee report, the use of “hooding.”

I have numerous concerns, both about this history and about General McChrystal’s public testimony. I have long opposed any interrogation techniques, whether conducted by the U.S. military or the intelligence community, that are not authorized by the Army Field Manual. I am thus dismayed by General McChrystal’s personal support for the use of some of