

that the leading States are carrying through on their pledges.

This G8 initiative is a complement to the Global Food Security Act, introduced earlier this year by the ranking member of the Senate Foreign Relations Committee, Senator LUGAR, and myself. As of today, eight other Members have cosponsored the Global Food Security Act, and I was pleased that Secretary of State Clinton recently offered her general endorsement of this legislation.

This bill would achieve three major objectives. No. 1, enhance coordination within the U.S. Government so that USAID, the Agriculture Department, and other entities are not working at cross-purposes. We do that by establishing a new position, a special coordinator for food security, in the White House who would report directly to the President and would forge a comprehensive U.S. food security strategy.

No. 2, the bill expands U.S. investment in the agricultural productivity of developing nations so that nations facing escalating food prices can rely on emergency food assistance and instead take steps to expand their own crop production. A leading agricultural expert recently estimated that every dollar invested in agricultural R&D generates \$9 worth of food in the developing world.

I am grateful to Senator LUGAR for his bold proposal by the acronym HEC-TARE to establish a network of universities around the world to cooperate on agricultural research.

No. 3, the bill would modernize our system of emergency food assistance so that it is more flexible and can provide aid on short notice. We do this by authorizing a new \$500 million fund for U.S. emergency food assistance.

This bill has been worked on and marked up in the Foreign Relations Committee and reported out. I am working with Senator LUGAR to bring this legislation to the floor so the full Senate can take it up and pass it.

We should not wait—as I said about health care earlier—we should not wait for another massive food crisis such as the one that hit the world last summer, before taking action on this legislation. Global food security is not only a humanitarian issue, of course—and that is of immense proportions—but it is also a national and international security issue. Hunger breeds instability, and instability can set the stage for failed states.

Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENGAGING THE ISSUES

Mr. DURBIN. Madam President, there are many things going on in the Capitol today. As a member of the Senate Judiciary Committee, I left the confirmation hearing of Judge Sonia Sotomayor, President Obama's nominee to the Supreme Court. I believe this is her fourth day of hearings before the committee. It appears we will be able to wrap up today or perhaps tomorrow.

I think she has done an extraordinarily good job. She comes to this nomination with a remarkable life story: rising from public housing in the Bronx, NY, losing her father when she was 9 years old, being raised by a determined and capable mother, a brother who became a doctor. She went on to law school after academic success in an Ivy League institution, and now has served for 17 years on the Federal bench.

We have many good witnesses before the Judiciary Committee, but I think she has set a high standard in terms of answering questions with a clear understanding of the law and a clear understanding of her responsibility if she is given this awesome assignment of serving on the highest Court in the land.

I cannot help but watch at these hearings as her family sits through hour after weary hour of Senators' questions. They are clearly in her corner and cheering her on; her mother, nodding in agreement when her daughter tells of their life story; others there in testimony to her wonderful life, her professional life as an attorney and judge.

I hope the Senate will bring her nomination before us in a timely fashion so that if she is approved—and I believe she will be approved by the Senate—she can cross the street to the U.S. Supreme Court and be there in September to make certain that the Court has a full complement of Justices to consider important cases.

At the same time on the floor, we have the Defense authorization bill, an annual exercise to authorize important expenditures for our national defense. There is a pending amendment relative to hate crimes, as to whether there will be a Federal cause of action against those who are guilty of physically assaulting and hurting people because of their sexual orientation, their gender, their race, their ethnic origin.

And, of course, there is another major debate underway about the future of health care in America. I have said that I think this debate over health care may be the biggest domestic undertaking of Congress in its history. In sheer numbers, the impact of this legislation will touch every single American immediately.

We have considered big issues in the past, issues such as Social Security,

but that was a program, when it was conceived and passed, that would affect senior citizens at a later date and only a few people initially. It was passed at a time when few people lived to be age 65, the qualifying age for Social Security. So it was an insurance policy for a small group of Americans. There was a payroll tax imposed on most workers in the country to pay for it.

Some 60 years later, President Lyndon Johnson considered the Medicare Program, another far-reaching program which today provides health insurance for 45 million Americans. It, too, is paid for primarily by a payroll tax, but it reached retirees. This debate on health care goes far beyond retirees. It affects all of us, every single one of us.

There have been so many things said about this debate. Some of the things that have been said at the outset are plain wrong. I was sent an e-mail by my brother who lives in California. I don't know the source of this e-mail, but it is one with wide subscription. It was loaded with mistakes and errors, suggesting that Members of Congress have some elite health care policies that pay for things ordinary Americans could never consider.

For the record, speaking for myself and most Members of Congress, we are under exactly the same health care plan as 8 million Federal employees and their families. But make no mistake, it is a good one. Because we have such a good bargaining pool, for over 40 years, private insurance companies have been anxious to get in and offer health insurance to not only Members of Congress but virtually every other Federal employee. It is a plan that engages us with private health insurance companies. My wife and I can choose from nine different private health insurance companies that offer coverage to residents of Illinois who are Federal employees. We can pick a plan that has limited coverage or one that has more coverage. My payroll deduction depends on the type of plan I choose.

The good news is once a year there is open enrollment. If I don't like the way I have been treated in the plan, I can move to a different company that might give me different benefits or better coverage. Every American should be so lucky as every Federal employee and Members of Congress. But we don't have an elite plan.

Other things that have been said are plain wrong. Members of Congress do not pay into Social Security. I can tell you when I was elected in 1982, in the House of Representatives, that was a fact. That was quickly changed within a year so that Members of Congress do pay into Social Security, as most Americans do today. These are all things that need to be set aside, and we need to get to the heart of the issue.

I listened as Republican Senators have come to the floor and talked about this health care debate. I cannot for the life of me understand how most of these Senators feel about the issue of health care.

The overwhelming majority of Americans believe we need to change the current system. If they have a good health insurance policy, they want to keep it, and the law we propose will allow them to do that, but there is a sense that the cost of health insurance is going up too fast and you can't earn enough money to keep up with it. Just over the last several years, the cost of health insurance premiums has risen three times faster than the wages of Americans. I have heard about it in Illinois; others have heard about it as well.

Those who want to keep the current system have to answer the most basic question: How will individuals and families and businesses be able to afford health insurance if we don't change? How can we deal with the deficits and debt that are being created by these inflated health care costs? The United States is the most expensive Nation in the world when it comes to health care. We spend, on average, per person more than twice as much as most other countries. Yet we don't have the medical results to point to which demonstrate that money is being well spent.

Some of the Republicans who have come to the floor—for instance, Senator McCONNELL from Kentucky, the Republican leader—talk about the failure of a plan in Maine, a public plan called—I may mispronounce this; I hope I don't—it looks like *Dirigo*. This *Dirigo* relied on private insurance with very few health insurance companies. Maine would benefit from the increased competition provided by a public option that we are talking about in the current national health care reform.

I think States across the Nation have done a good job in exploring creative innovations, but there are some limits as to what a State can do on its own, and many are financial. It is not realistic to expect them to solve health care problems State by State. States don't have the access to the financing levers that the Federal Government has. That makes sustainability difficult over the long term. And cost is difficult to control on a State basis. States don't have access to the Medicare Program, the largest buyer of health care in America. Medicare needs to be a leader in quality and cost control initiatives if we are going to make health care affordable. The States have tried to do their best, but without Federal leadership in addressing the skyrocketing costs of health care, the States are in an impossible position.

Health care reform isn't going to be easy, but we need to do it. Fortunately, we have a President—President Obama—who has said this is his highest priority. He is prepared to spend the political capital necessary to make this change, knowing it has been very difficult in the past.

What most Americans want to see is a system where you can walk in the doctor's office and not have to fill out the same form over and over and over

again; a system where doctors give the time to see their patients, can make the right diagnosis, and work through the questions that the patient might have; a system where patients aren't surprised by a medical bill they thought was covered under their insurance plan and ends up not being covered; a current system where doctors don't have to hassle with insurance companies for approval of medically necessary treatment; a system where you are not denied coverage because of an illness you had 5 years ago or because of your age; a system where health care is affordable; where it will cost less and cover more.

That is what 85 percent of the American people say they want out of this debate. This is what I would bet even the 77 percent of the American people who are satisfied with their health care today want to make sure is guaranteed in the future.

Some of my colleagues on the other side of the aisle seem to agree with the idea of the need for change, the need for health care reform. Some of them have focused on medical malpractice. I know a little about this. Before I was elected to Congress many years ago, I handled medical malpractice cases as an attorney in Springfield, IL. For a long time, I defended doctors and hospitals. And then, with a new practice, I was on the plaintiff side, representing the injured—the patients who were suing the doctors and hospitals. I have seen it from both sides of the table.

It is unfortunate when these lawsuits are filed. It is even more unfortunate when innocent people have become victims of medical negligence. There are an awful lot of them each year, and we need to do more to reduce the incidence of medical negligence. Many of these people just went to the doctor, did exactly what they were told, and ended up in a situation where their health was compromised and where they incurred massive health care costs because a mistake was made. Sometimes it is an innocent mistake, but other times, clear negligence and worse on the part of medical providers.

Don't get me wrong. I have the highest regard for the medical profession. And if it is my health or the health of someone in my family or someone I love, I want that doctor, the very best person there, to help, and I want to give them the benefit of the doubt; that they do not work miracles; they can only do the best they can, and I am prepared to accept that. In some cases, though, negligence happens. Malpractice occurs. Terrible things happen. And to close the courtroom doors to those who are injured and face a lifetime of pain, suffering, scars, limitations, disability, and health care costs is fundamentally unfair.

The Congressional Budget Office thinks that medical malpractice costs amount to less than 2 percent of health care spending. Government economists estimate that restricting all patients' rights to go to court would only lower

health care costs less than 1/2 of 1 percent. So when we talk about changing the health care system, of course let's have a conversation about patient safety and reducing the medical errors and making sure that doctors who are not guilty of malpractice don't face lawsuits that never should have been filed, but let's be honest about it. This is a very small part of the issue.

We also need to make sure that a public option is available. Health insurance companies are some of the most profitable companies in America. A public option will make sure there is an option, a choice, a voluntary alternative for every American to choose a public option plan, a plan that is a not-for-profit, government-oriented plan—such as Medicare—that doesn't have high administrative costs, doesn't take a profit out of what they are charging you, and doesn't have a lot of costs for marketing. That, to me, is a way to guarantee honesty and more competition.

We know if we fail to act that many millions of Americans will continue to have no health insurance, and others will find the cost of health insurance going up dramatically. The cost today is overwhelming for some Americans.

If you went to Wrigley Field last weekend to watch the Cards and Cubs play, there were about 41,000 people seated in the stands. It is a great rivalry, a terrific baseball rivalry that draws people from St. Louis and from Chicago and all points in between. If that attendance at the stadium was representative of America, 2,000 of those 4,000 people seated in the stands are currently paying health care costs of more than 25 percent of their income. That is a back-breaking number. And we have to understand that the costs keep going up, beyond the reach of a lot of good people who are trying hard to provide the most basic health care for their families.

I notice that my colleague is here from the State of Delaware, and I am going to yield in 1 moment, but I wish to say before I yield that we have a chance here. Some of the Members of the Senate are going to see these bills coming out of committees and say, this isn't the bill I would write; in fact, there are parts of this bill I don't like at all. I am sure that is the case for me, too. I know what I would like to write. But I understand the process too.

I also understand one other thing. This may be the last time in the political careers of every Senator on the floor that we can honestly take on this health care issue. If we don't do it in a bipartisan fashion, if we don't follow the guidance of those who are telling us this current system is unsustainable, there may never be another chance. I urge my colleagues, even if you disagree with some of the key elements of the bill coming out of one committee or the other, keep the process moving forward. Let us work together, debate the issues, vote on the

amendments, and keep the process moving forward. At the end of the day, if we end up emptyhanded, it will be a great loss for America. We will have to come back again under even worse circumstances, where there is a lot more suffering and a lot fewer people with good insurance in America.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BEGICH). Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1390, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1390) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid (for Leahy) amendment No. 1511, to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes.

Reid (for Kennedy) amendment No. 1539 (to amendment No. 1511), to require comprehensive study and support for criminal investigations and prosecutions by State and local law enforcement officials.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

IN PRAISE OF JEFFREY KNOX

Mr. KAUFMAN. Mr. President, last week, I spoke about the founding generation of Americans and the legacy they passed down to us of sacrifice and service above self. These are the values that constitute the foundation of our civil service, and it is these values that motivate our Federal employees. It is what drives each of them, each day, to perform the small miracles that make the American Government work. Without their dedicated efforts and important contributions, we could not have a government that is responsive and representative. That is the birthright the Founders left for us—that the people should be represented not only by officials they have elected but by civil servants entrusted to carry out the people's business.

In thinking about these ideas and about the Founders, I cannot help but think of those who risk their safety working as Federal law enforcement officers and prosecutors. One such Federal prosecutor is Jeffrey Knox. As an assistant U.S. Attorney from the Eastern District of New York's Violent

Crimes and Terrorism Division, Jeffrey is on the front line in both the war on crime and the war on terror.

At age 36, Jeffrey has already achieved distinction for prosecuting a number of important cases. He has become one of the Nation's preeminent prosecutors trying suspects in terrorism cases. In his role as head of the Violent Crimes and Terrorism Division, Jeffrey has been a leader in investigations of terror groups such as al-Qaida, Hamas, and LTTE. His colleagues have praised him for his roll-up-your-sleeves, get-your-hands-dirty philosophy, and he has traveled to dangerous hot spots in pursuit of evidence.

One of Jeffrey's landmark cases was the successful investigation, arrest, and indictment of four suspects who were charged with plotting to attack the fuel tanks at JFK Airport. The attack they had planned was intended to be as devastating as September 11. Jeffrey worked closely with the military, the intelligence community, foreign governments, and local law enforcement agencies in an 18-month-long investigation.

In another high-profile case, he successfully obtained the convictions of a group of conspirators who were attempting to deliver missiles and other weapons to the LTTE in Sri Lanka. He also worked to put behind bars an Iraqi translator who stole classified defense information and passed it to insurgents targeting our troops. Jeffrey has prosecuted violent street gangs in New York City as well.

What inspires me most about Jeffrey is that he did not start as a criminal prosecutor. Before September 11, he was a corporate lawyer on Wall Street. After that terrible day, Jeffrey was motivated to leave Wall Street and work in the Federal Government as an assistant U.S. attorney. When asked why he gave up such a lucrative position on Wall Street for a tough job prosecuting terrorists and gang members, Jeffrey said:

If you can put a dangerous individual behind bars so that individual will never have the ability to jeopardize another person's life again, then it's all worth it.

Jeffrey Knox is just one of many Federal prosecutors and law enforcement officials who risk their lives every day to keep Americans safe. The sacrifices they make all too often go unrecognized. I urge my colleagues to join me in honoring their service and sacrifices, and I join all Americans in thanking them for the important contribution they make to our Nation.

The PRESIDING OFFICER. The Senator from New York is recognized.

AMENDMENT NO. 1511

Mrs. GILLIBRAND. Mr. President, I rise today in support of the Matthew Shepard Hate Crimes Prevention Act of 2009. I am proud to join Senator KENNEDY as an original cosponsor of this important legislation. This legislation condemns the poisonous message that some human beings deserve to be victimized solely based on their sexual

orientation, gender, gender identity, or disability.

Hate crimes are serious and well-documented problems that remain inadequately prosecuted and recognized. Current Federal hate crimes law affords important protections against crimes motivated by a person's race, color, religion, or national origin. It fails to protect a significant number of Americans when victims are targeted based on their actual or perceived sexual orientation, gender, gender identity, or disability. This legislation will expand protection to these groups, ensuring that all Americans are afforded equal protection under the law.

In addition to recognizing and prosecuting all forms of hate crimes, we must also provide local law enforcement agencies with the requisite tools to successfully combat these heinous acts. This legislation provides significant support to local law enforcement agencies across the Nation, including critical technical, forensic, prosecutorial, and other assistance to State, local, and tribal law enforcement officials for hate crime investigations and prosecutions.

It is essential that we send the message that these crimes will not be condoned. When we fail to prosecute violence driven by hatred and protect Americans' human rights, we risk escalation of such activities.

New York State has recently had numerous examples of hate crimes that would be prosecuted under this legislation. Within 3 weeks, three communities in Queens and Long Island—within an hour's drive—have experienced violent hate crimes targeted at gay, lesbian, and transgender victims. In each instance, the victims were the targets of violent attacks while the assailants communicated homophobic slurs.

During one of the incidents in Queens, a transgender female was brutally attacked while walking to her home. As she walked down her residential block, she was repeatedly taunted by two men who only ended their taunting with homophobic slurs so they could focus on beating her with a metal belt buckle. Her anguished cries for help were met with laughter as the two men removed all of her clothing and left her naked and bleeding in the middle of the street.

Unfortunately, this case was not investigated as a hate crime because current law does not provide protection for gender identity. This victim, like many others around the Nation, was a target of violence because of who she was. This must end.

In 2007, there were 500 such incidents in New York State alone. This is a reflection of a larger national trend where we see that the number of documented hate crimes is on the rise. In 1991, the Federal Bureau of Investigation began collecting hate crimes statistics, and since then the number of reported crimes motivated by sexual orientation has more than tripled.