

Children are different than those of us who happen to be adults. They are not smaller versions of adults; they are different. Their treatment needs are different. We have to give them different kinds of preventive care. In Medicaid, for example, we give what they call early periodic screening and diagnostic testing, known by the acronym EPSDT. We focus on the special needs of children and give them early diagnosis, early treatment. That is what I am talking about in general. So they aren't small adults. It seems like a simple concept, but we have to say it more than we do. It is clear they have different needs, particularly the ones who are the most disadvantaged. The poor are the ones who could potentially be a lot sicker with the threat of sickness and disease. We make sure they get the highest quality care throughout their childhood. That is a resolution I introduced as a statement of policy.

So we are going to continue to debate not just a question of bringing down costs—that is central to what we are trying to do—not just a question of quality, and not only the question of enhancing choice and giving people some stability over their own lives with insurance and those who don't have insurance, giving them some affordable choices—that is all important, and we are going to spend a lot more time on those questions, but another question we have to address is, what happens at the end of the road for poor children or children with special needs?

The rule ought to be very simple: No child in those categories, no child worse off. Four words: No child worse off at the end of this.

So we will have a lot more time to continue to debate the legislation and a lot of these important issues. I think the American people want us to act. They don't want us to just debate and not get something done.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

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

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

MISSILE DEFENSE

Mr. MCCAIN. Mr. President, I rise today to express my deep disappointment with the administration's decision to cancel plans for fully developing missile defenses in Eastern Europe. This decision calls into question security and diplomatic commitments the United States has made to Poland and the Czech Republic. I believe it has the potential to undermine American leadership in Eastern Europe.

Given the strong and enduring relationships we have forged with the region's Nations since the end of the Cold War, we should not take steps backward in strengthening these ties. Yet I fear the administration's decision will do just that, and at a time when Eastern European nations are increasingly wary of renewed Russian aggression.

The administration's decision to abandon these sites comes at a time when the United States is in the midst of negotiations with Russia on reducing strategic nuclear weapons. Russia has long opposed the planned missile defense sites in Europe and has on numerous occasions tried to link reductions in offensive strategic nuclear arms with defensive capabilities such as missile defense. In fact, President Putin, on many occasions, has stated in very belligerent tones his opposition to this agreement that was already made between the United States and Poland and the Czech Republic.

The United States should reject the Russian attempt to further this argument and capitalize on these ongoing negotiations.

As rogue nations, including North Korea and Iran, push the nuclear envelope and work tirelessly to develop weapons capable of reaching America and its allies, we must aggressively develop the systems necessary to counter such belligerent efforts and enhance our national security, protect our troops abroad, and support our allies. Enhancing missile defense capabilities in Europe is an essential component to addressing threats we currently face and expect to face in the future. As Iran works to develop ballistic missile capabilities of all ranges, the United States must reaffirm its commitments to its allies and develop and deploy effective missile defense systems.

I wish to point out two important factors. The United States of America does not believe missile defense systems are in any way a threat to any nation. They are defensive in nature, and I believe they were a key component and factor in ending the Cold War.

Intelligence assessments apparently have changed rather dramatically since January 16. According to Eric Edelman, the Under Secretary of Defense for Policy under Secretary Gates during the Bush administration, intelligence reports on the Iranian threat as recently as January of this year were more troubling than what is being portrayed by the current administration. Mr. Edelman maintains that:

Maybe something really dramatic changed between January 16 and now in terms of what the Iranians are doing with their missile systems, but I don't think so.

You know what. I don't think so either. I think the fact is that this decision was obviously rushed. The Polish Prime Minister, according to news reports, was called at midnight. The agreement was made and ratified by these countries after consultation, discussion, and a proper process. They were not even notified of this decision. The decision to abandon the missile defense sites in Poland and the Czech Republic came as a surprise to them.

I understand that administration officials were on a plane supposedly to arrive in Poland today. I might add that Members of Congress were also not briefed on this decision prior to reading about it in the newspaper. I

was not informed. I didn't know what "new technology" was being recommended to be put in the place of the agreement. As short a time ago as August 20, the United States said:

The United States is committed to the security of Poland and of any U.S. facilities located on the territory of the Republic of Poland. . . . The United States and Poland intend to expand air and missile defense cooperation—et cetera.

We all know the Iranian ballistic missile threat is real and growing. We all know the administration is seeking the cooperation and help of the Russians. Now we will see. Now we will see.

Why was this agreement rushed into—or the abrogation of an agreement? Why the abrogation of this agreement between the United States with Poland and the United States with the Czech Republic rescinded in such a dramatic and rushed fashion? We all know the Iranian ballistic missile threat is real and growing. How many times have the "intelligence estimates" been wrong dating back to and including the Cold War? As many times as they have been right, I tell my colleagues—whether it be their assessment about the war in Iraq or whether it be the capabilities of many of our adversaries, including the Korean buildup, which we have been consistently wrong on.

The last administration reached out to the governments of Poland and the Czech Republic and asked that they make what many at the time perceived as an unpopular agreement. Despite threats from Russia, both governments recognized the importance such a defense capability would provide to their citizens and to Europe as a whole and agreed to allow the United States to place ground-based interceptors in Poland and a midcourse radar site in the Czech Republic. What are these countries going to do the next time we want to make an agreement with them, in view of the way this decision was made and announced or, shall I say, made known to the media before they were even told about it. It will be very interesting to see what we get in return.

According to a Christian Science Monitor's global news blog:

"We see this as a pragmatic decision," says Pavel Zolotaryov, deputy director of the official institute of USA-Canada Studies, suggesting that internal U.S. factors mainly account for Mr. Obama's choice. "Obama's sober approach is understandable, given the [economic] crisis, because this project would have given nothing but trouble."

If it sounds like Moscow has already discounted this sweeping strategic concession from Washington, experts suggest that's because Russia's foreign policy establishment had been expecting such a decision, at least since Obama hinted that he might give up the missile defense scheme during his summit with Russian President Dmitry Medvedev in Moscow last July.

"We've been getting signals since last Spring that made it seem almost certain that the missile defense plan would be set aside," said Fyodor Lukyanov, editor of Russia in Global Affairs, a leading Moscow foreign policy journal.

The Russians seem to have anticipated this decision. Unfortunately, the

Polish Government and the Czech Government did not. Members of Congress were certainly not informed of this decision until after reading about it in the media. That is not the way to do business. I think it sends the wrong signal to the Russians and to our friends and allies.

There are consequences with every decision. I believe the consequences of this decision may—albeit unintentionally—encourage further belligerence on the part of Russians and a distinct lack and loss of confidence on the part of our friends and allies in the word of the United States and the commitments of the United States of America.

I ask unanimous consent that articles in the Wall Street Journal and the Christian Science Monitor be printed in the RECORD.

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

[From the Wall Street Journal, Sept. 17, 2009]

**U.S. TO SHELVE NUCLEAR-MISSILE SHIELD—
DEFENSE PLANS FOR POLAND, CZECH REPUBLIC
TO BE DROPPED AS IRAN ROCKET
THREAT DOWNGRADED; MOSCOW LIKELY TO
WELCOME MOVE**

(By Peter Spiegel)

WASHINGTON.—The White House will shelve Bush administration plans to build a missile-defense system in Poland and the Czech Republic, according to people familiar with the matter, a move likely to cheer Moscow and roil the security debate in Europe.

The U.S. will base its decision on a determination that Iran's long-range missile program has not progressed as rapidly as previously estimated, reducing the threat to the continental U.S. and major European capitals, according to current and former U.S. officials.

The findings, expected to be completed as early as next week following a 60-day review ordered by President Barack Obama, would be a major reversal from the Bush administration, which pushed aggressively to begin construction of the Eastern European system before leaving office in January.

The Bush administration proposed the European-based system to counter the perceived threat of Iran developing a nuclear weapon that could be placed atop its increasingly sophisticated missiles. There is widespread disagreement over the progress of Iran's nuclear program toward developing such a weapon, but miniaturizing nuclear weapons for use on long-range missiles is one of the most difficult technological hurdles for an aspiring nuclear nation.

The Bush plan infuriated the Kremlin, which argued the system was a potential threat to its own intercontinental ballistic missiles. U.S. officials repeatedly insisted the location and limited scale of the system—a radar site in the Czech Republic and 10 interceptor missiles in Poland—posed no threat to Russian strategic arms.

The Obama administration's assessment concludes that U.S. allies in Europe, including members of the North Atlantic Treaty Organization, face a more immediate threat from Iran's short- and medium-range missiles and will order a shift towards the development of regional missile defenses for the Continent, according to people familiar with the matter. Such systems would be far less controversial.

Critics of the shift are bound to view it as a gesture to win Russian cooperation with U.S.-led efforts to seek new economic sanc-

tions on Iran if Tehran doesn't abandon its nuclear program. Russia, a permanent member of the U.N. Security Council, has opposed efforts to impose fresh sanctions on Tehran.

Security Council members, which include the U.S. and Russia, will meet with Iranian negotiators on Oct. 1 to discuss Iran's nuclear program.

Current and former U.S. officials briefed on the assessment's findings said the administration was expected to leave open the option of restarting the Polish and Czech system if Iran makes advances in its long-range missiles in the future.

But the decision to shelve the defense system is all but certain to raise alarms in Eastern Europe, where officials have expressed concerns that the White House's effort to "reset" relations with Moscow would come at the expense of U.S. allies in the former Soviet bloc. "The Poles are nervous," said a senior U.S. military official.

A Polish official said his government wouldn't "speculate" on administration decisions regarding missile defense, but said "we expect the U.S. will abide by its commitments" to cooperate with Poland militarily in areas beyond the missile-defense program.

Last week, Russian Foreign Minister Sergei Lavrov said he expected the Obama administration to drop the missile-defense plans. He said that Moscow wouldn't view the move as a concession but rather a reversal of a mistaken Bush-era policy.

Still, the decision is likely to be seen in Russia as a victory for the Kremlin. Russian President Dmitry Medvedev will meet with Mr. Obama at next week's meetings of the U.N. General Assembly and Group of 20 industrialized and developing nations.

Although a center-right government in Prague supported the Bush missile-defense plan when it was first proposed, the Czech Republic is now run by a caretaker government. A Czech official said his government was concerned an announcement by the White House on the missile-defense program could influence upcoming elections and has urged a delay. But the Obama administration has decided to keep to its original timetable.

European analysts said the administration would be forced to work hard to convince both sides the decision wasn't made to curry favor with Moscow and, instead, relied only on the program's technical merits and analysis of Iran's missile capabilities.

"There are two audiences: the Russians and the various European countries," said Sarah Mendelson, a Russia expert at the Center for Strategic and International Studies. "The task is: How do they cut through the conspiracy theories in Moscow?"

The Obama administration has been careful to characterize its review as a technical assessment of the threat posed by the Iranian regime, as well as the costs and capabilities of a ground-based antimissile system to complement the two already operating in Alaska and central California. Those West Coast sites are meant to defend against North Korean missiles.

The administration has also debated offering Poland and the Czech Republic alternative programs to reassure the two NATO members that the U.S. remains committed to their defense.

Poland, in particular, has lobbied the White House to deploy Patriot missile batteries—the U.S. Army's primary battlefield missile-defense system—manned by American troops as an alternative.

Although Polish officials supported the Bush plan, U.S. officials said they had indicated their primary desire was getting U.S. military personnel on Polish soil. Gen. Carter Hamm, commander of U.S. Army

forces in Europe, said Washington has begun talks with Polish officials about starting to rotate Europe-based American Patriot units into Poland for month-long training tours as a first step toward a more permanent presence.

"My position has been: Let's get started as soon as we can with the training rotations, while the longer-term stationing . . . is decided between the two governments," Gen. Hamm said in an interview.

For several years, the Pentagon's Missile Defense Agency has been pushing for breaking ground in Poland and the Czech Republic, arguing that construction must begin so the system would be in place to counter Tehran's emerging long-range-missile program, which intelligence assessments determined would produce an effective rocket by about 2015.

But in recent months, several prominent experts have questioned that timetable. A study by Russian and U.S. scientists published in May by the East-West Institute, an international think tank, downplayed the progress of Iran's long-range-missile program. In addition, Gen. James Cartwright, the vice chairman of the Joint Chiefs of Staff and an expert in missile defense and space-based weapons, said in a speech last month that long-range capabilities of both Iran and North Korea "are not there yet."

"We believed that the emergence of the intercontinental ballistic missile would come much faster than it did," Gen. Cartwright said. "The reality is, it has not come as fast as we thought it would come."

It is not an assessment that is shared universally. Eric Edelman, who oversaw missile-defense issues at the Pentagon as undersecretary of defense for policy in the Bush administration, said intelligence reports he reviewed were more troubling.

"Maybe something really dramatic changed between Jan. 16 and now in terms of what the Iranians are doing with their missile system, but I don't think so," Mr. Edelman said, referring to his last day in office.

There is far more consensus on Iran's ability to develop its short- and medium-range missiles, and the administration review is expected to recommend a shift in focus toward European defenses against those threats. Such a program would be developed closely with NATO.

[From the Christian Science Monitor, Sept. 17, 2009]

**RUSSIA'S RESPONSE TO U.S. MISSILE DEFENSE
SHIELD SHIFT**
(By Fred Weir)

**MOSCOW HAS LONG OPPOSED A MISSILE SHIELD
IN POLAND AND THE CZECH REPUBLIC. BUT
THE U.S. SHOULDN'T EXPECT TOO MUCH IN RETURN**

MOSCOW.—President Barack Obama's decision to shelve plans for a missile defense shield in Eastern Europe could be seen as a major concession to Moscow. But given years of vehement opposition to the controversial plan, Russian reaction to the move appears surprisingly lukewarm.

So what does it mean for U.S.-Russia relations?

There are indications that Russia might support tougher sanctions on Iran, and fresh START talks, as well as more cooperation with the war in Afghanistan. The Kremlin also expects the U.S. to back off on expanding NATO, say Russian analysts.

"We see this as a pragmatic decision," says Pavel Zolotaryov, deputy director of the official Institute of USA-Canada Studies, suggesting that internal U.S. factors mainly account for Mr. Obama's choice. "Obama's sober approach is understandable, given the

[economic] crisis, because this project would have given nothing but trouble."

If it sounds like Moscow has already discounted this sweeping strategic concession from Washington, experts suggest that's because Russia's foreign policy establishment had been expecting such a decision, at least since Obama hinted that he might give up the missile defense scheme during his summit with Russian President Dmitry Medvedev in Moscow last July.

"We've been getting signals since last Spring that made it seem almost certain that the missile defense plan would be set aside," says Fyodor Lukyanov, editor of Russia in Global Affairs, a leading Moscow foreign policy journal.

NEW ARMS DEAL NOW WITHIN REACH, BUT CONCESSIONS ON IRAN?

Mr. Lukyanov says the only predictable result of key importance is that negotiations for a new strategic arms reduction treaty to replace the soon-to-expire 1991 START accord are now likely to meet the December deadline for a fresh deal.

"Now we can be sure the new START agreement will be completed on time, because the vexing issue of missile defense and how it affects the strategic balance has been removed for the time being," he says. "That's quite an important matter."

But while Russian experts say the move can only contribute to a warmer dialogue between Moscow and Washington, they say no one should expect any reciprocal concessions from the Kremlin on issues of key concern to the U.S., such as Iran.

WHY RUSSIA HAS OPPOSED MISSILE DEFENSE

Washington has consistently argued since news of the proposed missile defense shield emerged in 2006 that it was intended to protect Europe and the U.S. from a rogue missile attack from Iran or North Korea and not to undermine Russia's strategic deterrent.

Moscow has retorted that those threats are merely theoretical, but Russia's dependence upon its aging Soviet-era nuclear missile force for its national security would be deeply affected if the American scheme were to go forward.

"Iran isn't going to have any long-range missiles in the near future anyway," says Alexander Sharavin, director of the independent Institute of Military and Political Analysis in Moscow.

"The U.S. evidently doesn't want to quarrel with Russia, now that Moscow is collaborating in such areas of importance to the U.S. as Afghanistan," where Moscow has enabled a resupply corridor through former Soviet territory to embattled NATO forces, and offered other forms of cooperation, he says.

RUSSIANS EXPECT ANOTHER U.S. CONCESSION—ON NATO EXPANSION

Mr. Lukyanov says "it's possible" Russia may be more pliable on the issue of tough sanctions against Iran, a measure it has strongly resisted in the past. He says that in a recent meeting with foreign policy experts, President Medvedev introduced a new tone by remarking on his contacts with Arab leaders who are deeply worried about Iran's alleged drive to obtain nuclear weapons.

"It may be that Russia will be more amenable, but this is a deeply complicated issue," he says. "On Iran, and other regional conflicts, the differences between Moscow and Washington are deep, and that hasn't changed."

Russian experts also say they believe the Obama administration will quietly set aside the other issue that has infuriated Moscow over recent years: the effort to expand NATO into the former USSR by including Ukraine and Georgia.

"I wouldn't expect any formal statements to this effect, but it's more or less clear that

the issue of NATO enlargement is off the table for the time being," says Lukyanov.

POSTPONED, NOT CANCELED

So why isn't sunshine breaking and a new era of strategic accord dawning between Moscow and Washington?

"Nothing has been canceled, missile defense has just been postponed," says Lukyanov. "For awhile this topic is off the agenda, but later it will return. So, for now the political situation may improve, but the underlying pattern of relations is unlikely to change in any basic way."

And Russian hawks might see the dropping of the missile shield as weakness in Washington and press the Kremlin for even less compromise on key U.S.-Russia issues.

"I think the reaction of Russia's leadership will be positive on the whole," says Mr. Sharavin. "But Russian hawks are very likely to find faults, and use this to build up their own positions."

Who's the new right-wing prophet advising the Kremlin?

Mr. MCCAIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for up to 10 minutes and that the time be charged against Senator LEAHY's time.

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

FINANCIAL REGULATORY REFORM

Mr. TESTER. Mr. President, I rise to say a few words about an issue that has been front and center in my office for the past 12 months—reforming regulation of our financial markets.

I am a family farmer. In my neck of the woods, farmers usually don't sit around and talk about economic policy and Wall Street financial institutions.

But I do guarantee you that where I come from, everybody talks about common sense and why so much common sense seemed to be missing when America's financial industry almost collapsed a year ago.

Everyone in my State felt the impact of what happened when Lehman Brothers caved in, when Fannie and Freddie hit a dead end, when AIG went belly up, and when we saw daily headlines about bank mergers and bailouts.

We all paid a price because of a few greedy actors on Wall Street and no refs on the playing field. That price was \$700 billion of taxpayer money. I opposed that bailout because it rewarded the wrong people, and I was concerned about its ability to create a single job for our small businesses or help one family farmer. I think it was a bad deal for Main Street.

Last year, I asked Treasury Secretary Paulson—a former chairman of Goldman Sachs—about why this happened. His answer: "I don't know."

Where I come from, answers such as that aren't good enough, and terms such as "too big to fail" don't make any sense at all. It is time to make some changes.

After what we have been through over the past year, it is clear we need to reform the rules that keep America's financial industry on our side.

How? Well, it is going to take a lot of hard work, honesty, and common sense.

We have already started. I have teamed up with some of my friends in the Senate, from both parties, to co-sponsor the TARP Transparency Act. Our bill will better track the money being used to get the financial industry back on its feet because it is taxpayer money and because taxpayers deserve no less.

Over the course of the past year, the Senate Banking Committee has held countless hearings on regulatory modernization. The administration has put forth a good-faith effort in working with Congress in the massive legislative overhaul. Government has worked with the financial industry and consumers to outline the goals of sweeping new financial regulatory reform.

I don't believe comprehensive financial reform will guarantee we are safe from financial crises, but, if done right, it can provide folks with adequate protection, it can bring confidence back into the marketplace, and it can minimize the risk of a financial meltdown similar to the one we barely weathered last fall.

Unfortunately, there are those who don't believe comprehensive reform should be on the front burner. They are now lobbying to protect their own self-interests, their own profits, and the status quo over consumer protection.

That is why we need to use this 1-year anniversary as a reminder to act now to protect consumers and investors, to close the loopholes in our regulatory framework, and to ensure that no company is too big to fail.

We must regulate derivatives; supervise financial companies that have been outside the scope of regulation, thereby creating a level playing field; ensure that there is strong supervision of all financial firms—not just depository institutions; build on the bipartisan success of the credit card legislation and pass mortgage reform to protect consumers; combine the numerous banking regulators into a more simple, streamlined, commonsense structure that is capable of supervising 21st century financial institutions; create an entity that will protect taxpayers from future financial corporate failures and minimize the need for further government action; increase capital standards to prohibit institutions from growing too big to fail; and we must ensure that those companies selling mortgages and securities keep some skin in the game by holding onto a portion of the underlying asset to keep them honest.

As we move forward with regulatory reform, I will be working hard to eliminate any unintended consequences, specifically as it relates to community banks and credit unions.

In Montana, when we talk about the banking industry, we are talking about community banks and credit unions. They are the good actors. They don't live on the edge. They didn't get into the Wall Street shenanigans that caused this mess.