

them, but what we are going to do in this legislation is establish a commission which would provide for automatic Medicare cuts. If Congress doesn't act affirmatively to somehow stop that from going into effect, it goes into effect. That is abdicating our responsibility to act as their representatives and, worse, putting somebody else in charge of deciding what is best for our Medicare constituents.

So when costs grow out of control, the government will adjust the volume of care provided based on how much it is willing to spend; that is to say, to ration your health care.

The fact that the Baucus bill does not include the so-called public option, the government-run insurance company, does not mean it does not otherwise totally regulate health care delivery. Together, an individual mandate to buy particular insurance and the regulatory insurance exchange, the two key provisions in the plan, facilitate the government's takeover of health care—some of it government run, all of it government controlled. No longer would families and doctors have the final say. It is almost unthinkable that this could happen in the United States.

Republicans have proposed ideas that would improve access and lower the cost of care, including real medical liability reform, allowing people to buy lower cost insurance across State lines, making the tax treatment of health care more fair for those who purchase insurance on their own, and removing barriers to health savings accounts.

These are better alternatives than the entire takeover of the system as proposed in the chairman's bill. We all favor health care reform. Republicans favor measures that lower costs and improve access and, importantly, empower patients, not government bureaucrats.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

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#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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#### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2996, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 2996) making appropriations for the Department of the Interior, environ-

ment and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are back on the fiscal year 2010 Interior appropriations bill, which we started on Thursday of last week. Chairman FEINSTEIN will be joining us shortly, but she asked me to say there is no reason why Members cannot come to the floor now and offer their amendments for the purposes of debate.

We have a busy schedule ahead of us and want to try to complete action on this bill and the remaining appropriations bills for fiscal year 2010, so I ask my colleagues to please come and offer your amendments and work with our respective staffs so we can get as much done today as possible.

Mr. President, I see no other Senator on the floor, so I ask unanimous consent to speak as in morning business.

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

Mr. ALEXANDER. But what I plan to do is, if a Senator comes with an amendment for the appropriations bill, I will yield to that Senator, and then after that I will resume my remarks if I am not finished.

#### NUCLEAR POWER

Mr. President, if health care were not our first concern today, energy and climate change would be. It is lurking in the shadows, having had a lot of work done in the House, and it is about to come before the Senate. So as to the remarks I wish to make today, if I had to put a title on them, I would choose this: What the United States should really fear about nuclear power.

Communications experts say fear is the best way to get attention when you are trying to win an argument. Groups who oppose nuclear power have certainly mastered that technique by playing to economic, environmental, and safety fears.

So I wish to introduce a little element of fear into my argument here. I want to suggest what could happen if we do not adopt nuclear power as a more important part of our energy future, if Russia and China and India and a lot of other countries go with nuclear—as they are now—while we get left behind. Are we going to be able to compete with countries that have cheap, clean, reliable nuclear power while we are stuck with a bunch of windmills and solar farms, producing expensive, unreliable energy or, more likely, not much energy at all? The whole prospect of the United States ignoring this problem-solving technology that we invented is what I fear most about nuclear power.

Let me give you an idea of what I am talking about. A few years ago, in January 2006, the Chinese sent a delegation of nuclear scientists and administrators to the United States on a fact-finding mission. They toured the Idaho National Laboratory, the Argonne Na-

tional Laboratory, and they visited GE and Westinghouse, trying to decide which technology to choose for their nuclear program.

Now you might wonder why anyone would be seeking our advice about nuclear power when we haven't issued a construction permit to build a new reactor in the past 30 years. But as Kathryn McCarthy, deputy director of the Idaho National Laboratory, said at the time:

The world still looks to us for leadership in this technology. They'd prefer to copy what we've already done. They don't like being on the cutting edge.

Well, that may have been true in 2006, but it's not anymore. The Chinese eventually chose Westinghouse technology for their first reactors. At the time, Westinghouse was an American company. In 2007, Toshiba bought Westinghouse, so now it is a Japanese-based company. Then when the Chinese got their Westinghouse reactor, they insisted on having all the specifications so they could see how it was put together. That is what we call "reverse engineering." As you might guess, China's next wave of reactors is going to be built with Chinese technology.

By 2008, the Chinese had shovels in the ground. The first four Westinghouse reactors are scheduled for completion by 2011. They also bought a pair of Russian reactors, which should be finished around the same time. They started talking about building 60 reactors over the next 20 years and just recently raised it to 132. They're in the nuclear business.

What have we accomplished in the meantime? Well, people in the United States have been talking about a "nuclear renaissance" in this country since the turn of the century. In 2007, NRG, a New Jersey company, filed the first application to build a new reactor in 30 years. They're still at the beginning of what promises to be at least a 5-year licensing process before the Nuclear Regulatory Commission. No one really knows how long this will take, since as soon as the licenses are issued, opponents will file lawsuits and the whole thing will move to the courts. If they are lucky, they might have a reactor up and running by 2020. Other companies have followed suit, and there are now 34 proposals before the Nuclear Regulatory Commission, but nobody in the United States has yet broken ground. So it is not likely the Chinese will be coming to us any time soon for more tips on how to build reactors. In fact, we will probably be going to them.

That is one aspect of what is going on in the world today. Here is another. As countries began constructing new reactors, it quickly became clear that the bottleneck would be in forging the steel reactor vessels. These are the huge, three-story-high, forged steel units that hold the fuel assembly—the reactor core. That means forging steel parts that may weigh as much as 500 tons.

In 2007, the only place you could order a reactor vessel was at the Japan Steel Works, and they were backed up for 4 years. Everyone started saying: This is going to be what holds up the world's nuclear renaissance. They will never be able to produce enough of those pressure vessels.

So what happened? Well, first, Japan Steel Works invested \$800 million to triple its capacity. They are going to be turning out 12 pressure vessels a year by 2012. Then the Chinese decided to build their own forge. In less than 2 years, they put up a furnace that can handle 320-ton parts. They turned out their first components in June. Now they are building two more forges. So, you see, the Chinese will not be standing in line in Japan any time soon. The Russians are doing the same thing. They are in the midst of a big revival, planning to double the production of electricity from nuclear power by 2020. They are also building a forge and just cast their first 600-ton ingot in June. France, Britain, South Korea, and India are all following suit. Very soon, every major nuclear country in the world is going to be able to forge its own reactor vessels, except one—and that is us, the United States.

No steel company in America is capable of forging ingots of more than 270 tons. We are still stuck in the 1960s. That means when it comes to building reactors, we will have to stand in line in Japan or somewhere else. In fact, just about everything in our first new reactors is going to be imported. The nuclear industry tells us that at least 70 percent of the materials and equipment that go into these first few reactors will come from abroad. That is because we have let our nuclear supply industry wither on the vine. In 1990, there were 150 domestic suppliers making parts for nuclear reactors. Today, there are only 40, and most of them do their business overseas. Of the 34 proposals before our Nuclear Regulatory Commission, 20 are designed by Westinghouse, now a Japanese company, and nine are from AREVA, the French giant. General Electric, the only American company left on the field, has partnered with Hitachi. They together sold five reactors to American utilities but fared poorly in the competition for Federal loan guarantees. Two utilities have now canceled those projects, and there are rumors that GE may quit the field entirely. They do not seem very enthusiastic anymore about nuclear anyway. Have you seen those GE ads for windmills? They are all over the place. Have you seen their ad for the smart grid, where a little girl says: "The sun is still shining in Arizona"? That was pretty good too. Now have you seen any GE ads, in this day of concern about climate change, that say that 70 percent of our carbon-free electricity comes from nuclear power? I certainly haven't.

Babcock & Wilcox is the one American company that stirred some interest recently when it announced plans

for a new "mini reactor." This is a 125-megawatt unit that can be manufactured at the factory and shipped by rail to the site, where several units can be fit together like Lego blocks. This left the impression that America might be innovating again, forging back into the lead. But the complete prototype for the Babcock & Wilcox reactor is still 2 years away, and then it may take another 5 years to get the Nuclear Regulatory Commission's design approval. Meanwhile, the Russians are already building a mini reactor that will be floated into a Siberian village on a barge to produce power. The Russians have already got orders for mini reactors from 12 countries. So in spite of Babcock & Wilcox's fine effort—and I am certainly proud of them—the Russians are considerably ahead of us.

Let's take stock. There are 40 reactors now under construction in 11 countries around the world—not one of them in the United States of America. In fact, only two are in Western Europe: one in Finland and the other in France, both built by AREVA. All the rest are in Asia. Although we have not gotten used to it, Asia may soon be leading the world in nuclear technology.

Japan has 55 reactors and gets 35 percent of its electricity from nuclear energy, almost double the 19 percent we get here in the United States. The Japanese have two reactors under construction and plans for 10 more by 2018. The Japanese are finding they can build a reactor, start to finish, in less than 4 years. That is less time than it takes to get one American reactor through licensing at the Nuclear Regulatory Commission.

South Korea gets nearly 40 percent of its electricity from nuclear—that is twice as much as we do—and is planning another 8 reactors by 2015. So far, they have bought their reactors from the Japanese, but now they have their own Korean next-generation reactor—a 1,400-megawatt giant evolved from an American design. They plan to bring two of these on line by 2016. Taiwan also gets 18 percent of its electricity from nuclear and is building two new reactors.

In September, Bloomberg News reported that Japan Steel Works' stock had risen 8 percent on the Tokyo Stock Exchange because of China's decision to double future construction from 60 to 132 new reactors. They figure they will get some of the action at Japan Steel Works. Much of China's \$586 billion stimulus package is going toward developing nuclear power. "While China had been focusing on building new coal plants," said Bloomberg, "it has now shifted its focus to nuclear because of the environmental issue," said Ikuo Sato, president of Japan Steel Works, in Bloomberg.

Meanwhile, India is embracing thorium, a technology a lot of people think may eventually replace uranium as nuclear fuel. Thorium is twice as abundant as uranium and doesn't produce the plutonium everybody wor-

ries will be used to make a bomb. There is a lot of enthusiasm for thorium among scientists in our country. But it is India that is going ahead, with 6 reactors under construction and 10 more planned. They began with a Russian design, but they are also trying some American technology they acquired in signing their 2005 agreement with the Bush administration.

What about Chernobyl. Well, just like everybody else, Russia stopped all construction on new nuclear reactors after that horrible accident. But they learned their lesson and started constructing much safer reactors in the 1990s, completing the first in 2001. Now they have plans to expand along the lines of France, building two reactors every year from now through 2030. They have a very good reason. Russia has huge natural gas supplies, but it is wasting them by using one-third of it to produce electricity. They could get six times the price by selling natural gas to Western Europe. So they are replacing gas generation with nuclear—which is exactly the opposite of what we are doing here. Since 1990, every major power plant built in this country burns natural gas. We now get 20 percent of our electricity from natural gas—more than nuclear's 19 percent, and the natural gas percent is still going up.

And be aware, all these countries that are developing nuclear just aren't building them for themselves. They are selling to the rest of the world as well. AREVA is building reactors in Finland, China, Italy, Brazil, and Abu Dhabi. The Russians have signed deals with China, Iran, India, Nigeria, and Venezuela. They are even selling to us. In July, Tenex, Russia's uranium corporation, signed a long-term contract to supply fuel to Constellation Energy, which has reactors in Maryland and upstate New York. It was the sixth contract Tenex signed with an American utility in the past 2 months.

How did the Russians end up supplying us with uranium? It is a long, interesting story and the most important players stood and worked on this Senate floor. In 1996, Senator Sam Nunn, Senator Pete Domenici, and Senator RICHARD LUGAR pioneered a remarkable deal with the post-Soviet Government, in which we would buy highly enriched uranium from old Soviet bomb stocks. The uranium would be sent to France, where it would be "blended down" from 90 percent fissionable material to 3 percent to be used in American reactors. For the last two decades, old Soviet stockpiles have supplied half our nuclear fuel. One out of every ten light bulbs in America is now powered by a former Soviet weapon—one of the greatest swords-into-plowshares efforts in history, although few people seem to know about it. Now the Russians have learned to do de-enrichment themselves. They have decided they don't need France. They say: Hey, we don't have to import this stuff anymore; we will produce it here.

Of course, producing things is one way countries get rich and its citizens improve their standard of living.

Once upon a time we were pioneers in nuclear technology. Forty years ago, we were the only people in the world who knew how to deal with the atom. That is not true anymore. We have shied away from the technology while everyone else has forged ahead. Even Europe is coming back. The British have announced they are going nuclear. They have hired the French national electric company to help. Italy closed all its nuclear reactors right after Chernobyl but ended up importing 80 percent of their electricity at a huge cost. Now they have announced they are going back to nuclear as well. France already gets 80 percent of its power from nuclear and has the cheapest electricity in Europe, not to mention the second lowest carbon emissions, behind Sweden, which is half nuclear. France also sells \$80 billion worth of electricity to the rest of Europe each year. Notice how well France did in the last turnaround—it barely went into recession at all. That is not because the French spend less on government or work harder than us or take fewer vacations. It is because nuclear power is helping to keep their whole economy afloat.

So does that mean we have fallen completely behind? Not at all. In fact, there is a great irony to all this. We still know how to run reactors better than anyone else in the world. Our fleet of 104 plants is up and running 90 percent of the time. No one else even comes close. France, for all its experience, is still at 80 percent. Other countries are even lower. We still understand the technology better than anyone else in the world. But because we have placed so many obstacles in our path, we aren't allowed to build reactors anymore. And that is what scares me. We are gradually losing our economic place in the world.

Now a lot of people say: Well, what is the difference? So what if we fall behind on nuclear technology. We will forge ahead with something else. Well, there are several reasons to be concerned:

First, there is energy security. America already spends \$300 billion a year importing two-thirds of our oil from other countries. If we remain on the current path of no new nuclear power or start depending on other countries to build our reactors and supply us with fuel, we are going to be even more vulnerable than we are today. The best way to reduce imported oil, aside from ramping up domestic production, will be to use electricity to power cars and trucks. At first, we can plug our electric vehicles in at night when there is much unused electricity. After that, we should be using nuclear. We can't have Americans going to bed every night hoping the wind will blow so they can start their cars in the morning.

Second, there is the matter of technological leadership. Americans pro-

duce, year in and year out, 25 percent of all the wealth in the world. Most of that wealth has been driven by new technologies. We were the birthplace of the telephone, the electric light, the automobile, the assembly line, radio, television, and the computer. But nuclear energy—perhaps the greatest scientific advance of the 20th century—is passing us by. The 21st century is going to run on clean, cheap, greenhouse-gas-free nuclear power. And, how can we criticize India and China for not reducing their carbon emissions when we refuse to adopt the best technology ourselves?

Then there is weapons proliferation. In the 1970s, we gave up on nuclear reprocessing in the hope that by not dealing with plutonium, we would prevent nuclear weapons from spreading around the world. That has turned out to be an unwise decision. France, Britain, Russia, Canada, and Japan went right on reprocessing and no one has stolen plutonium from them. Instead, rogue countries, such as North Korea and Pakistan, have found their own ways to develop nuclear weapons. The technology of bomb making is no big secret anymore. The real problem is that by renegeing on world leadership, we have left the field to others. For instance, right now the Russians are building a commercial reactor for Hugo Chavez in Venezuela. He is not exactly friendly toward the United States. To make things more interesting, Manhattan District Attorney Morganthau recently wrote in the Wall Street Journal that his office has recently uncovered evidence that Iran may be providing Venezuela with missile technology.

But what worries me are these two issues: First, if we do decide to move toward a nuclear-based economy and we have to import 70 percent of the technology and equipment, how are we any better off than when we were importing two-thirds of our oil? We will just be creating jobs for steelworkers in Japan and China instead of the United States. Second, if we don't move toward a nuclear-powered economy but try to do everything with conservation and wind and solar, we are going to be sending American jobs overseas looking for cheap energy.

So to ensure we have enough cheap, clean, reliable, no-carbon electricity in this country to create good, high-quality, high-tech jobs, here is what I believe we have to do. The United States should double its production of nuclear power by building 100 nuclear reactors in 20 years. Nuclear today provides 70 percent of our carbon-free electricity. Wind and solar provide 4 percent. Nuclear plants operate 90 percent of the time. Wind and solar operate about one-third of the time.

The Obama administration's Nobel Prize-winning Energy Secretary, Steven Chu, says nuclear plants are safe and that used nuclear fuel can be safely stored onsite for 40 to 60 years while we figure out the best way to recycle it.

Producing 20 percent of electricity from wind, as the Obama administration proposes, will require building 186,000, 50-story turbines—enough to cover an area the size of West Virginia—plus 19,000 miles of new transmission lines to carry electricity from remote to populated areas. One hundred new nuclear plants could be built mostly on existing sites.

To produce 3 percent to 6 percent of our electricity, the taxpayers will be subsidizing wind to the tune of \$29 billion over the next 10 years. The 104 nuclear reactors we have today were built basically without taxpayer subsidies. It will cost roughly the same to build 100 new nuclear plants, which will last 60 to 80 years, as it would to build 186,000 wind turbines, lasting 20 to 25 years. And this doesn't count the cost of transmission lines for wind. Finally, there will be twice as many green jobs created building 100 nuclear reactors as there would be created building 186,000 wind turbines.

An America stumbling along on expensive, unreliable renewable energy, trying to import most of our energy from overseas, is going to be an America with fewer jobs and a lower standard of living.

Nuclear opponents continue to prey on fear of nuclear power. The truth is, if we want safe, cost-effective, reliable, no-carbon electricity, we can no longer ignore the wisdom of the rest of the world. The real fear is that we Americans are going to wake up on one cloudy, windless day, when the light switch doesn't work, and discover we have forfeited our capacity to lead the world in creating jobs because we ignored nuclear power, a problem-solving technology we ourselves invented.

Mr. President, I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. 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. ALEXANDER. Mr. President, I want to repeat for our colleagues and their staffs that the Interior appropriations bill, one of the most interesting pieces of legislation before the Congress, is before the Senate right now. We know some of our colleagues have amendments to offer. We have already received some of them.

If any Senator would like to come to the floor to speak on those amendments this afternoon, there is time for him or her to do that. If they have not offered their amendments, I encourage them to do that because we would like to move the bill along.

Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. LANDRIEU.) Without objection, it is so ordered.

## AMENDMENT NO. 2460

Mrs. FEINSTEIN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mr. LEVIN, Mr. SCHUMER, Mr. ALEXANDER, Mr. COCHRAN, and Mr. BENNETT, proposes an amendment numbered 2460:

The amendment is as follows:

## AMENDMENT NO. 2460

On page 219, line 5, before "and including" insert the following: "of which \$250,000 shall be made available to carry out activities under the Civil Rights History Project Act of 2009 (20 U.S.C. 80s et seq.), to remain available until expended;".

Mrs. FEINSTEIN. Madam President, this amendment is cosponsored by the ranking member of this committee, Senator ALEXANDER, Senators BENNETT, COCHRAN, LEVIN, and SCHUMER, Representative CAROLYN MCCARTHY has been the leader in the House. I thank her for her leadership in enacting the Civil Rights History Project Act into law.

This is an amendment that would direct \$250,000 in salaries and expenses at the Smithsonian Institution to be used for the Civil Rights History Project. This is a project that was authorized by law in May of this year. It will give us a permanent historical record of the firsthand stories of the individuals who risked and sacrificed in the civil rights movement. The project is modeled after the Veterans History Project and will be housed in the Smithsonian's National Museum of African American History and the Library of Congress. So for generations to come, historians, students, and the public will be able to listen to civil rights pioneers tell their stories and describe a time that is quickly receding into history. If you think about it, this could be a very exciting teaching tool for future generations.

I am very pleased to support this amendment, along with the ranking member of this committee.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from California for thinking of this. The late Alex Haley, the author of "Roots," used to say: When an older person dies, it is like a library burning down. And many who participated in it or many who even saw the major events of the civil rights movement are growing older and their stories need to be told. So this is an important amendment with bipartisan support. I am glad the Senator from California so thoughtfully offered it.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. FEINSTEIN. I thank the ranking member. I agree with him strongly. I believe it is important to hear the voices of the actual people so the students 20, 50, 75 years from now can really listen to what happened from the mouths of the people who were actually there and participated.

You should, once again, know this has been authorized, and it is simply coming right out of salaries and expenses of the Smithsonian.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, are we in a quorum call?

The ACTING PRESIDENT pro tempore. We are not.

## MCCHRYSTAL COUNTERINSURGENCY PLAN

Mr. MCCONNELL. Mr. President, eight years ago America was attacked at home by an enemy that we had underestimated for too long. As a result of this single planned attack, thousands of innocent people were killed, the Twin Towers were left in ruins, and our long-held confidence as a Nation in the security of our homeland was seriously shaken.

The horror of that day brought our country together, including lawmakers of every ideological stripe. And it was in this context of unity that we resolved to do everything in our power to ensure that America never experienced a day like September 11 again.

At the heart of that resolve was a recognition that al-Qaida and affiliated terrorist groups had been at war with the United States long before September 11, 2001. September 11 may have been the day that we saw the terrible consequences of inaction, but the pattern of smaller-scale attacks leading up to that day was also suddenly, undeniably clear. On 9/11, we saw that this was a war not of choice but a war of necessity that would take time and require great sacrifice, and that war continues.

From the very start, the centerpiece of our strategy has been the same: to deny al-Qaida and its affiliates sanctuary, and, crucially, to deny them a staging ground from which they can plan, prepare, or launch another attack on U.S. soil. We have carried out this strategy using the vast tools of intelligence, diplomacy, and force at our disposal, and our future success depends on our continued use of all these tools.

We have also recognized from the first moments of this fight that we can't succeed alone. America is not al-Qaida's only target, and we are not capable of defeating al-Qaida without the cooperation of many allies and friends, many of whom have experienced terrorism firsthand. The fight against al-Qaida is a global fight, and its success will continue to depend on a division of labor among many nations.

Nowhere is our reliance on partners and allies more apparent at the moment than in Afghanistan and Pakistan. Just as progress in Iraq depended

on the training of an indigenous security force, so too does our progress in Afghanistan depend on the training of security forces there; and so too does our success in Pakistan depend upon the ability of the Pakistani Army to fight terrorists in the tribal areas.

Still, while Afghanistan and Pakistan may now be at the center of the fight, it's important to realize that our success will mean continued reliance on the cooperation of other friends and allies across the globe, from our own borders to other distant places where our forces can not go or where our presence is of limited use.

This is why I and others have pointed out that our success in preventing inmates from Guantanamo from returning to the fight depends on cooperation from political leaders in places like Yemen and Saudi Arabia. And this is why many of us have pointed out that al-Qaida's presence is growing in Yemen and threatens Saudi Arabia, where al-Qaida claimed credit just last month for the first terrorist attack on a member of the Saudi royal family in recent memory.

Many countries are engaged in the same fight that we are. As the war on terror continues, these countries need to be assured of our cooperation just as much as we need to be assured of theirs.

So far on Afghanistan, the President has shown admirable consistency. He has not lost sight of the need to pressure al-Qaida's senior leadership; he has stated, rightly, in my view, that the core goal of the war there is the disruption, dismantling, and defeat of al-Qaida and the prevention of safe havens for terrorists. And he was wise earlier this year to appoint General Stanley McChrystal to command our forces in Afghanistan in pursuit of these goals.

By now, General McChrystal has had time to develop an initial assessment of the situation. That assessment, elements of which are now public, calls for a genuine counterinsurgency. Soon, he will make a formal request for the resources he needs to carry this strategy out. We don't know all the details yet, but we do know that much more hard work lies ahead. And we also know that, according to General McChrystal, "failure to provide adequate resources . . . risks a longer conflict, greater casualties, higher overall costs, and ultimately, a critical loss of political support . . . [and that] any of these risks, in turn, are likely to result in mission failure."

Looking back, we can see that the work of fighting terrorism at home and abroad has been difficult, it has been long, and it has tested our resolve. But here is the good news: It has been a success. By searching out terrorists where they are, keeping up the pressure, and remaining flexible, our Armed Forces, intelligence professionals, and the help of our allies and

friends has achieved something few people thought possible on September 11, 2001. America has not been attacked at home since.

But this much is also clear: al-Qaida remains intent on attacking the United States. Its terror network is lethal, resilient, determined, and mobile, and the day we lose sight of this is the day that our good fortune in preventing another attack may run out.

The President, to his credit, has not lost sight of this sobering reality. But any failure to act decisively in response to General McChrystal's request could serve to undermine the other good decisions the President has made.

General McChrystal has made clear that more forces are necessary. But even that won't be enough. Even with the best strategy and the finest implementation, our efforts in Afghanistan will not succeed without the support of the American people. This is why, in my view, the President must soon explain to the American people his reasons either for accepting the McChrystal Plan or, if he chooses an alternative, explain why he believes the alternative is better.

As the President has noted, any commitment of additional forces is a decision of the gravest importance. No President takes a decision like this lightly. And this is why General McChrystal and General Petraeus should also come to Washington to explain to Congress and to the American people how their strategy will work.

Despite our best efforts to defeat al-Qaida and deny them sanctuary in Afghanistan and Pakistan, they remain a serious threat. The Taliban is gaining ground. But if our recent experience with Iraq shows us anything, it is that our commanders in the field are in the best position to tell us what will work. General McCrystal says that without adequate resources, we will fail. In my view, we should listen to that advice.

Leading up to and during the surge in Iraq, many voices in Washington had given up hope of success. One prominent Senator said that a surge of American forces would do nothing. One of the Nation's top newspapers said that staying the course in Iraq would only make the situation more bloody and frightening, and that there was nothing ahead for Iraq but even greater disaster.

But we know what happened. By listening to our commanders in the field, the tide in Iraq began to turn. We salvaged our chances. And nearly 3 years later, a country and a war that many had given up for lost is showing strong signs of stability.

At the time, America was fortunate that in its moment of need, GEN David Petraeus came forward with a plan to secure Iraq and implemented it with the help of brave soldiers and marines in Baghdad and Anbar Province. General McChrystal has now sent his recommendation for a counterinsurgency strategy to protect the population and defeat the Taliban in Afghanistan. Congress should support it.

The war ahead in Afghanistan would not be easy. Counterinsurgency is very demanding in terms of people, resources and vigilance. But the consequences of withdrawal, or even of a plan that is more narrowly focused on developing Afghan security forces, would likely be worse, since neither plan will lead to the defeat of al-Qaida or reverse the gains that the Taliban has made in Afghanistan and Pakistan.

By ceding Afghanistan to the Taliban and al-Qaida, we would all but ensure that the terrorists have the ability to plan and carry out another attack from the very same place that they plotted and carried out the attacks of 9/11; al-Qaida in Pakistan would serve as a magnet to every young man wishing to enter the jihad; and our ability to stop either of these frightening developments would be severely diminished.

The President has said he will not allow these things to happen: For the sake of our long-term security, we should support the McChrystal Plan. Anything less would confirm al-Qaida's view that America lacks the strength and the resolve to endure a long war. We have proved them wrong before. Let's prove them wrong again.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Delaware.

AMENDMENT NO. 2456

Mr. CARPER. I ask unanimous consent that the pending amendment be set aside in order to call up amendment No. 2456.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for himself, Mr. MERKLEY, and Ms. KLOBUCHAR, proposes an amendment numbered 2456.

The amendment is as follows:

(Purpose: To require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions)

On page 192, between lines 6 and 7, insert the following:

GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

BLACK CARBON

SEC. 201. (a) Not later than 18 months after the date of enactment of this Act, the Administrator, in consultation with other Federal agencies, shall carry out and submit to Congress the results of a study to define black carbon, assess the impacts of black carbon on global and regional climate, and identify the most cost-effective ways to reduce black carbon emissions—

(1) to improve global and domestic public health; and

(2) to mitigate the climate impacts of black carbon.

(b) In carrying out the study, the Administrator shall—

(1) identify global and domestic black carbon sources, the quantities of emissions from those sources, and cost-effective mitigation technologies and strategies;

(2) evaluate the public health, climate, and economic impacts of black carbon;

(3) identify current and practicable future opportunities to provide financial, technical,

and related assistance to reduce domestic and international black carbon emissions; and

(4) identify opportunities for future research and development to reduce black carbon emissions and protect public health in the United States and internationally.

(c) Of the amounts made available under this title under the heading "ENVIRONMENTAL PROGRAMS AND MANAGEMENT" for operations and administration, the Administrator shall use up to \$2,000,000 to carry out this section.

Mr. CARPER. Mr. President, I would like to take the next several minutes to speak about an amendment that Senators MERKLEY and KLOBUCHAR and I have to the Interior and Environment appropriations bill. With this amendment, we are asking the Environmental Protection Agency to conduct a comprehensive study on something called black carbon emissions. This is very similar to a bipartisan bill I worked on with Senators INHOFE, BOXER, and KERRY that actually passed the Senate EPW Committee. Taking steps to reduce black carbon emissions is a win/win situation. We can lessen the threat of global warming, and at the same time we can improve global public health.

Black carbon emissions, sometimes called soot, are the dark particles emitted when fossil fuels, biomass, and biofuels are burned. In the United States we see mainly black carbon from old, dirty diesel engines. Internationally, black carbon comes from old cook stoves, inefficient industrial processes, and also dirty diesel engines. Black carbon contributes to serious global respiratory and cardiovascular health problems and even to death. Scientists also believe black carbon emissions contribute to global warming. In fact, it is estimated to be the second largest contributor to global warming after carbon dioxide. However, there is still a lot we don't know about black carbon.

Our amendment asks EPA to do several things: One, to identify global black carbon sources and cost-effective reduction technologies; two, to identify the public health, economic, and climate impacts of black carbon; three, to identify opportunities for current and possible international funding for mitigation; and four, to identify opportunities for future research and development.

We ask the EPA to use funds already allocated to them from their operations budget to fund this study.

Here in the United States we have made great progress in reducing black carbon by regulating the new diesel engines and through a voluntary national diesel retrofit program. We still have over 11 million old diesel engines without proper emission control technology. There is good news and bad news about diesel engines. One is they last a long time. That is the good news. The bad news is they last a long time.

Black carbon remains a problem worldwide. This amendment will enable us to build on the progress we

have already made and to use our resources wisely to reduce black carbon emissions at home and abroad.

I thank the managers of the bill for their interest in working with us on this amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Senator WARNER of Virginia be added as a cosponsor on the civil rights oral history project amendment, amendment No. 2460, which is before this body.

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

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I believe the ranking member will concur with this. I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 2460, AS MODIFIED

Mrs. FEINSTEIN. Mr. President, I send to the desk a modification of the amendment on the Smithsonian Civil Rights History Project, amendment No. 2460. What this amendment does is simply on line 2 change the word "shall" to "may."

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

(Purpose: To support the participation of the Smithsonian Institution in activities under the Civil Rights History Project Act of 2009)

On page 219, line 5, before "and including" insert the following: "of which \$250,000 may be made available to carry out activities under the Civil Rights History Project Act of 2009 (20 U.S.C. 80s et seq.), to remain available until expended;"

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that at 12 noon Tuesday, September 22, the Senate proceed to vote in relation to amendment No. 2460, as modified, with no amendment in order to the amendment prior to the vote, with the time until 12 noon equally divided and controlled between Senators FEINSTEIN and ALEXANDER or their designees.

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

Mr. INHOFE. Mr. President, Jones Academy was founded over 100 years

ago, in 1891, on the site of an earlier school operated by the Choctaw Nation. Its sister institution was the Wheelock Academy for Girls, founded earlier than Jones and providing an academic curriculum for girls. Both programs were federally funded through the Office of Indian Affairs—later renamed the Bureau of Indian Affairs—with many private and tribal donations.

Until 1950, the situation worked. While the Bureau of Indian Affairs technically ran the school, the relative isolation of the school and the constant presence of a large Indian Tribe meant that the children at Jones Academy received an education adequate for their academic and personal needs. In 1952, the Federal Government instituted the termination policy. In 1953, the BIA approached the Public School District of Hartshorne, OK. They offered to close the academic programs for Jones Academy and totally close Wheelock Academy. The children were to be bused to Hartshorne School District, in exchange for local public education of these children. The school district agreed, provided they continued to receive Johnson-O'Malley payments as well as impact aid payments for Indian students. Over tribal objections, this arrangement was instituted and Jones Academy became a dormitory-only program. It has remained such for 45 years.

An agreement between the Choctaw Nation and the Hartshorne School District was reached in 2003 to allow children in the lowest grades, 1-6, to attend classes on campus, at Jones Academy, thus receiving better support and avoiding lengthy busing. As part of this agreement, and to assist the children through better programs, the Choctaw Nation has constructed and equipped state-of-the-art facilities, and it did so without any Federal assistance. In recent years, the programs at Jones Academy School site have won numerous awards for being one of Oklahoma's highest achieving schools.

However, the Choctaw Nation is not able to implement control over the Jones Academy program or exercise self determination as other tribes do. They wish to do so, as a normal extension of Jones' recent success and the Choctaw Nation's desire to improve continuously. This can only be done if the tribe is allowed to actually operate Jones Academy academic program under its own policies and programs, reflecting its push for excellence.

Because of a moratorium enacted in 1995, which prevents any tribal school from receiving Federal academic program support for any program not operated at that school, the Jones Academy is prevented from reestablishing their programs and entering the Federal grant schools system. This moratorium was originally enacted as a "temporary" halt to changes to allow the BIA time to develop and institute a new construction and facilities system. However, the moratorium has been continued as a provision of the law.

My Oklahoma colleague in the House, Mr. BOREN, has been working on this issue, and the House committee report accompanying the proposed fiscal year 2010 Interior appropriations bill contains language to address the issue in the form of a BIA study. I support the inclusion of this language and support the prompt completion of the study. I support the Choctaw Nation of Oklahoma and Chief Pyle on this issue.

MORNING BUSINESS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

RECOGNIZING NATIONAL PUBLIC LANDS DAY

Mr. REID. Mr. President, I rise today in recognition of the 16th annual National Public Lands Day, which will be celebrated on Saturday, September 26. I am pleased to acknowledge the efforts of volunteers across our Nation who will come together to improve and restore one of America's most valuable assets, our public lands.

National Public Lands Day started in 1994 with 700 volunteers working in just a few locations. This year, over 130,000 volunteers will come together to work at more than 2,000 locations across all 50 States. These people come from all walks of life, holding a shared interest in protecting our public lands for the enjoyment of future generations.

Our Nation has a grand tradition of conservation. When Yellowstone National Park was established in 1872, it was the world's first national park. The idea of a national park was an American invention of historic proportions that led the way for global conservation efforts. President Teddy Roosevelt, one of our earliest and most energetic conservationists, dedicated 194 million acres of national parks and national preserves over the course of his Presidency. America has continued to build on this tradition with endeavors such as the operation of the Civilian Conservation Corps in the 1930s and 1940s, passage of the Wilderness Act in 1964, establishment of Earth Day in 1970, enactment of the National Wildlife Refuge Improvement Act in 1997, and the signing into law of this year's Omnibus Public Land Management Act, to name just a few examples. National Public Lands Day provides an annual opportunity for the American public to devote a day to conservation and to give back to the public lands that give so much to us.

Public lands make up over one-third of our country and are places of continuous discovery, where we go to find ourselves, to uncover our history, and to explore for new resources. Our public lands provide wide open spaces, deep