

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

Mrs. FEINSTEIN. Madam President, I ask that the Interior bill be reported.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2996, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Feinstein modified amendment No. 2460, to support the participation of the Smithsonian Institution in activities under the Civil Rights History Project Act of 2009.

Carper amendment No. 2456, to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions.

Mrs. FEINSTEIN. Madam President, it is my understanding we are now on the bill and that the time until 12 o'clock noon will be equally divided. At noon, there will be a vote on the Feinstein amendment. So the floor is now open. I hope individuals who have amendments will come to the floor and that we will be able to offer those amendments and debate them as soon as possible.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. 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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the time in a quorum call be equally divided between both sides.

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

Mrs. FEINSTEIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

#### HEALTH CARE

Mr. BROWN. Madam President, I have come to the Senate floor pretty much every day since the start of the session—for the last couple of months—sharing letters from Ohioans about health care. I just did a big townhall meeting in Cleveland yesterday and I did one in Columbus, Cincinnati, Youngstown, and I have done other meetings in Dayton and Cambridge and other places. But my office gets dozens—hundreds, really, a week—of letters from people who oftentimes were very pleased and satisfied with their health insurance, and then when they got particularly sick, they found out they lost their health insurance coverage.

I just want to read a couple of letters my office has received in the last couple of weeks or so.

James, from Hancock County, in northwest Ohio—in Findlay—writes:

When my kidneys began to fail, I was forced to leave my job as an engineer for an electronics company. I went on dialysis for several years and eventually had a transplant. I currently have health care because of my wife's employment. In trying to find a new job, I've had employers tell me my pre-existing conditions could drive up their health costs and that they could find other workers without health issues. I, and other people with chronic health problems, will never find good paying jobs with benefits. Please, I want to work and contribute to society. I didn't choose to get sick.

Several things are happening with James in this letter. First of all, we are outlining the whole idea of preexisting conditions. As the Presiding Officer from New York State knows, insurance companies will no longer be allowed to deny care for a preexisting condition or discriminate based on gender, disability, or geography. Companies will not be able to put a lifetime or annual cap on coverage.

The second thing is that this legislation will help those small businesses that too often have one employee who is very expensive so that the small business will see its premiums jacked up so high they often have to cancel their insurance and then their other employees lose their insurance coverage. Our legislation will help those small businesses while eliminating these but through insurance company reforms, and then a public option, will help to enforce those rules.

Robert from Columbus writes:

Last year, I lost my job and, as a result, my wife, teenage son, and I needed to pick up private health insurance. After researching various companies, we applied to one insurer. My son and I were accepted, but my wife was rejected. Her sin? A preexisting condition. During a previous job while insured, she was diagnosed with mild and treatable high blood pressure. She had one office visit and one prescription a couple of years ago and she gets turned down today.

How absurd, Madam President, that someone with a very treatable pre-existing health care problem—high blood pressure, but not a problem so

chronic that she missed work or spent time in hospitals and all that, but a very treatable condition—was denied care as a result of this preexisting condition and then couldn't get coverage that her husband and her teenage son could get. Our legislation again, through these insurance company reforms, would make sure that doesn't happen.

Let me share one more letter because I know Senator ALEXANDER and Senator FEINSTEIN are going to call a vote in a minute. Georgene from Cuyahoga County, in the Cleveland area, writes:

My 52 year old sister inherited muscular dystrophy and has been on total disability for a few years. She's also had double knee replacement and hip replacement surgeries. Due to her condition, she's fallen several times and damaged her knees. The doctor recommended she get her leg amputated and fit with a prosthetic. Her husband's insurance covers her and approved the amputation surgery but is now denying her the prosthetic and wheelchair. They had to file for bankruptcy due mainly because of medical bills and now live in a small apartment. I could go on with personal stories from my own life or extended family, but you get the picture.

Madam President, this simply happens too much, where people such as Georgene have not been well served by the system. They have insurance, and they were relatively happy with it, but it has now become inadequate. Insurance isn't real insurance, it is not adequate insurance, if people get so sick or have such high costs that they get excluded from their insurance.

What happens too many times is bankruptcy. The most common cause for bankruptcy in this country is because of huge health care costs. The most common situation among those who declare bankruptcy is because of health care costs, and the most common situation is among people who have insurance but their insurance simply doesn't cover everything. Their expenses are such that their insurance gets canceled and they end up in bankruptcy.

Madam President, I again urge my colleagues to look seriously at this bill as we move forward—the bill that came out of the Health, Education, Labor and Pension Committee, as it merges with the bill coming out of the Finance Committee—in the next week or two to get this bill to the President's desk this fall. In my State alone, 390 people every single day are losing their insurance. And for people around here trying to delay this, it is simply wrong. We need to move, not hurriedly, but at a steady pace to get this bill to the President's desk this fall.

Madam President, I yield the floor, and I thank Senator FEINSTEIN and Senator ALEXANDER.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that once the Senate reconvenes at 2:15 today, it then stand in recess subject to the call of the Chair.

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

Mrs. FEINSTEIN. Obviously that is for the purpose of the Senate photograph.

Madam President, I note that 12 o'clock has arrived. We will have a vote on the Feinstein-Alexander amendment No. 2460. I will take a brief moment to describe it.

This is an amendment cosponsored by Senators ALEXANDER, LEVIN, SCHUMER, COCHRAN, BENNETT, WARNER, and I ask unanimous consent to add the name of Senator BOXER.

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

Mrs. FEINSTEIN. Madam President, this amendment simply makes \$250,000 available so the Smithsonian can carry out activities under the Civil Rights History Project Act of 2009. Obviously this means this has been authorized. It is also paid for.

This is a joint project between the Library of Congress and the Smithsonian, which aims to collect video and audio recordings of the personal histories and testimonials of individuals who participated in the civil rights movement.

By coordinating the effort at the national level, the project will build upon and complement previous and ongoing documentary work on the American civil rights movement. I think it is a very special effort because it essentially will mean that youngsters who are present in 20, 30, 40, or 50 years, will be able to have audios and videos that contain the actual photographs and actual wording of people who participated themselves in the great civil rights movement of this country.

I urge my colleagues to support the amendment.

If there are no other comments by the ranking member—would the ranking member like to make a comment? Then we will ask for the yeas and nays.

Mr. ALEXANDER. Madam President, I congratulate the Senator from California for her leadership. We Americans are united by our founding documents and our language and our history, not by our race or ethnicity or where we come from, so therefore we are very hungry for stories about ourselves. The great writers of American history, such as David McCullough, whose books are sold out immediately, would wish we had the same sort of documentation the Senator from California has proposed here about the writing of the Constitution or the American Revolution or the Civil War or the great world wars. Ken Burns would like to have more of it for his upcoming series on the national parks. This will mean we will have more of it for the great civil rights struggles of the 1950s and 1960s and 1970s. Alex Haley, the author of "Roots," said an older person dying is like a library burning down. This will help to make sure we keep those libraries.

Mrs. FEINSTEIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Wisconsin (Mr. KOHL) are necessarily absent.

I also announce that the Senator from Arkansas (Mrs. LINCOLN) is absent due to a death in the family.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 290 Leg.]

YEAS—95

Akaka	Enzi	Merkley
Alexander	Feingold	Mikulski
Barrasso	Feinstein	Murkowski
Baucus	Franken	Murray
Bayh	Gillibrand	Nelson (NE)
Begich	Graham	Nelson (FL)
Bennet	Grassley	Pryor
Bennett	Gregg	Reed
Bingaman	Hagan	Reid
Bond	Harkin	Risch
Boxer	Hatch	Roberts
Brown	Hutchison	Rockefeller
Brownback	Inhofe	Sanders
Bunning	Inouye	Schumer
Burr	Isakson	Sessions
Burr	Johanns	Shaheen
Cantwell	Johnson	Shelby
Cardin	Kaufman	Snowe
Carper	Kerry	Specter
Casey	Klobuchar	Stabenow
Chambliss	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	LeMieux	Udall (NM)
Corker	Leahy	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lugar	Webb
Dodd	McCain	Whitehouse
Dorgan	McCaskill	Wicker
Durbin	McConnell	Wyden
Ensign	Menendez	

NOT VOTING—4

Byrd  
Coburn

Kohl  
Lincoln

The amendment (No. 2460), as modified, was agreed to.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:34 p.m., the Senate recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB.)

## RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess subject to the call of the Chair.

Thereupon, the Senate, at 2:16 p.m., recessed subject to the call of the Chair and reassembled at 2:35 p.m. when called to order by the Presiding Officer.

DEPARTMENT OF THE INTERIOR, ENVIRONMENTAL, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

Mr. REID. Mr. President, what is the matter before the Senate?

The PRESIDING OFFICER. Amendment No. 2456 offered by Senator CARPER.

AMENDMENT NO. 2494

Mr. REID. I ask unanimous consent that the amendment be set aside, and at this time I call up amendment No. 2494.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2494.

Mr. REID. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for an evaluation of the aquifers in the area of the Jungo Disposal Site in Humboldt County, Nevada)

On page 240, between lines 13 and 14, insert the following:

### SEC. 423. JUNGLO DISPOSAL SITE EVALUATION.

Using funds made available under this Act, the Director of the United States Geological Survey shall conduct an evaluation of the aquifers in the area of the Jungo Disposal Site in Humboldt County, Nevada (referred to in this section as the "site"), to evaluate—

(1) how long it would take waste seepage (including asbestos, discarded tires, and sludge from water treatment plants) from the site to contaminate local underground water resources;

(2) the distance that contamination from the site would travel in each of—

(A) 95 years; and

(B) 190 years;

(3) the potential impact of expected waste seepage from the site on nearby surface water resources, including Rye Patch Reservoir and the Humboldt River;

(4) the size and elevation of the aquifers; and

(5) any impact that the waste seepage from the site would have on the municipal water resources of Winnemucca, Nevada.

Mr. REID. Mr. President, I offer this amendment to address a crisis affecting Native Americans served by the Indian Health Service's Schurz Service Unit in Nevada.

This amendment to H.R. 2996, the Interior, Environment and Related Agencies Appropriations Act, would direct the Indian Health Service to use any unobligated contract health service funds from fiscal year 2009 to pay the Service's obligations to private health providers who have treated Nevadans. The Service's Schurz Service Unit administers contract health funds for thousands of eligible Indian beneficiaries who receive care from the Fallon Tribal Health Center, Reno-Sparks Health Center, Pyramid Lake Health Center, Walker River Paiute Health Clinic, and other tribal health clinics and stations.

I understand that it may difficult to coordinate care and referrals where the