



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, SEPTEMBER 29, 2009

No. 138

Senate

The Senate met at 11:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who reads our hearts and knows our motives, You are the source of our being and the goal of our striving, hallowed be Your Name. Inspire our Senators to keep within the grasp of Your firm hands the threads of this day's words and deeds. May they seek Your will throughout this day and permit You to transfigure and redeem even their disappointments and setbacks. As they face perplexing issues of state, may the strength of each be as the strength of 10 because of pure motives. May all that our lawmakers do and are today be so obviously an expression of Your truth that they can be confident of receiving the smile of Your approval.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 29, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in morning business until 1:30 today. Senators are permitted to speak during that period of time for up to 10 minutes each. Following that morning business, the Senate will resume consideration of the Defense appropriations bill.

At 4:30 today, the Senate will turn to executive session to debate the nomination of Jeffrey Viken to be U.S. district judge for the District of South Dakota. At 5:30 today, we will vote on the confirmation of that nomination.

DEFENSE APPROPRIATIONS

Mr. REID. Madam President, this afternoon we will begin work on the Defense appropriations bill, as I announced. The bill provides \$636 billion in new discretionary authority for the Department of Defense, including more than \$128 billion in funding for overseas contingency operations.

This is a good bill. It provides funding to grow the Army by 22,000 soldiers, provides \$108 billion for procurement of new equipment that our men and women in the military badly need as a result of the equipment having been damaged, destroyed, and worn out in Iraq and other places. It also provides for a modification of tactical vehicles to better protect our forces in battle.

In Nevada, there are significant contributions being made, as we speak, to the wars in Iraq and Afghanistan, with more than 700 Nevada Guard men and women in combat today. Because the desert terrain in Nevada is similar to that in Iraq and Afghanistan, many of our Nation's warriors prepare for their deployment in Nevada. The Naval Air Station in Fallon, in northern Nevada, is the home to the Navy's preeminent strike and air warfare center, which includes the Navy Fighter Weapons School, better known as Top Gun. Naval Air Station Fallon also houses the Strike Warfare Center and the Carrier Airborne Early Warning Weapons School.

If you are a Navy fighter pilot, the only training that allows you to have, in effect, a Ph.D. in flying the Navy's top fighter planes is going to Fallon. Hawthorne Ammunition Depot has been in existence since the late 1920s as a result of a huge explosion of an ammunition facility in New Jersey. Since the late 1920s, this base—in very arid, dry, north-central Nevada—serves as the staging area for conventional bombs, rockets, and ammunition, a role it has filled since World War II.

Creech Air Force Base, located about 35 miles north of Las Vegas, employs the combat-ready Unmanned Aircraft System or what we call the drones. It is known as the Joint Unmanned Aircraft System Center of Excellence. It is from that facility that the strikes take place in Iraq and Afghanistan; that is where the people on the ground actually do the work that allows these vehicles to do their damage, wherever they are designated to go.

Finally, Nellis Air Force Base, outside Las Vegas, home of the first dedicated air warfare and later air-ground training facility, continues to provide advanced air combat training for U.S. and allied forces. This is the home of the Thunderbirds.

The fiscal year ends tomorrow. We need to pass this Defense bill to ensure

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S9895

these men and women in uniform—our soldiers, marines, sailors, air men and women—have every resource they need to successfully carry out their mission. Whether stationed in Nevada or on one of our many bases around the world, all America's troops are depending on us to do something and do it quickly.

The managers of this bill, Senators INOUE and COCHRAN, were here last Thursday and Friday. They are back this afternoon, ready to complete action on this legislation. This is an extremely important piece of legislation. The Senate needs to act on it very quickly so we can get to conference and minimize the time the Department of Defense has to operate on a stop-gap continuing resolution.

I hope people who have amendments to offer will offer them. We have already had 2 days to offer amendments. We have two of the most experienced managers in the Senate with Senators INOUE and COCHRAN. I hope people would offer their amendments because we are not going to be on this bill all week. We are going to get off this as soon as we can.

RECOGNITION OF THE REPUBLICAN LEADER.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DEFENSE APPROPRIATIONS

Mr. MCCONNELL. Madam President, this afternoon we resume consideration of the Defense appropriations bill, and among our most immediate concerns are the protection of our troops and allies in Afghanistan and the success of our mission there.

The President's pick to lead our efforts in Afghanistan, GEN Stanley McChrystal, has made clear that more forces are necessary to accomplish the mission. And while the administration has not yet reacted to General McChrystal's report, in my view, the President must soon explain to the American people his reasons either for accepting The McChrystal Plan or for taking a different course.

Timing is important. A failure to act decisively in response to General McChrystal's strategy, and his anticipated request for additional forces, could serve to undermine some of the good decisions the President has made on national security.

That said, no President decides to commit troops lightly; all such decisions have far-reaching consequences. And that 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. A counter-insurgency strategy will require a significant investment in time, troops, and resources. We need an explanation from our generals why that investment is needed.

The recent disruption of an alleged al-Qaida plot against America was a re-

minder to all of us of the seriousness and urgency of our efforts in Afghanistan. There should be no doubt that al-Qaida remains a serious threat. We cannot allow al-Qaida to establish a safe haven in the very place where it plotted and planned the 9/11 attacks.

The Taliban is gaining ground in Afghanistan. And our commanders in the field are in the best position to tell us what is required to complete their mission. General McChrystal says that without adequate resources, we will likely fail. In my view, we should listen to his advice. And hopefully, we will be able to get that advice in person in a timely manner.

I yield the floor. 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.

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

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 1:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

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

TROPICAL STORM KETSANA

Mr. AKAKA. Madam President, I rise today to stand in unity with our friends in the Philippines, China, and Vietnam, who are recovering from a terrible natural disaster.

Tropical Storm Ketsana struck the Philippines Saturday near Manila, causing massive flooding across the island nation. According to news reports, more than 80 percent of the capital city was submerged by the floods. Footage shows people being swept away by raging torrents, stranded on rooftops without supplies, or wading through waist-high flood water. According to the Associated Press, at least 284 people in the Philippines are confirmed dead, and nearly half a million people have lost their homes. As I speak, rescuers are searching for any remaining survivors. Family members are mourning lost loved ones. Millions of Filipinos across the country are struggling to find clean water, food, medicine, and shelter.

I commend the U.S. Embassy in Manila for pledging financial aid to help the Philippine government get life-saving necessities to people living in emergency shelters.

I am proud and honored by the work of members of the United States Armed Services, based in the Philippines. Their important mission is to provide counterterrorism training, but in the face of disaster, our troops have heroically conducted a number of life-saving rescues. Now they are helping to distribute supplies.

I also thank UNICEF for its large pledge of financial support.

In Hawaii, a number of organizations have stepped up to help. The Filipino Community Center, the United Filipino Council of Hawaii, and the Philippine Consulate General of Honolulu are among the organizations raising funds. I am encouraged by all those offering assistance in Hawaii and across the Nation.

Unfortunately, Ketsana's path of destruction was not finished at the Philippines. The storm picked up strength over the South China Sea, brushed against the coast of China's Hainan Island, and at full typhoon strength today slammed directly into Vietnam, where at least 23 people have been confirmed dead.

Laos, Cambodia, and Thailand are now bracing for heavy rains as the storm moves inland.

In the United States, we are no strangers to the horrors of tropical cyclones. We all remember the tragedy of Hurricane Katrina. It hit the gulf coast more than 4 years ago, but many areas are still recovering. In Hawaii, we will never forget Hurricane Iniki, which struck the island of Kauai in 1992, killing six people, destroying homes, hotels, and businesses, and leaving residents in some areas without electricity for months. It took parts of Kauai more than a decade to recover, and some historic buildings have never been rebuilt.

The United States stands with our friends in the Philippines, China, and Vietnam as they work to help the survivors. I want to thank everyone who has pitched in to help our friends recover from this terrible disaster.

I yield the floor, and 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.

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

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

ENERGY SECURITY THROUGH TRANSPARENCY ACT OF 2009

Mr. CARDIN. Madam President, I take this time to bring to the attention of my colleagues legislation that has been introduced by Senator LUGAR,