

compromise, working together in accommodation. I know the Senator looks forward to that. I hope we can achieve that result.

Mr. THUNE. Mr. President, if the Senator will yield, I say in response to that, that is absolutely true. Around here I think, traditionally, tax extenders have been something both sides have worked on. Generally, it tends to be kind of noncontroversial. I think our side is very open to discussions and would welcome an opportunity to sit down with the majority and the Senator from Montana and others, whenever they feel necessary, to work something out. We stand ready and willing to have that discussion and hopefully to get this thing put behind us.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I would add a final point to these remarks; that is, the approach I take. As chairman of the Finance Committee, I try not to bring up these extenders bills until they have been worked out. With sufficient work on both sides, I believe that leaves at least 60 votes available, and I hope we can achieve a result quickly.

#### HEALTH CARE REFORM

Mr. BAUCUS. Mr. President, today marks 6 months since Congress enacted the new health care reform law.

Americans have reason to celebrate.

The new law put America on the road to a more sustainable consumer-friendly health care system.

The new law put America on the road to a healthcare system in which all Americans have access to quality, affordable health insurance.

And the new law put America on the road to a health care system in which patients and their doctors—not insurance companies—control patient care.

These transformative changes will not happen overnight. But we heard the distressed cries from American families and businesses for immediate relief from insurer abuses. Congress included in the new health reform law many consumer protection provisions that take effect today, September 23, 2010.

These provisions—a new Patient's Bill of Rights—put an end to some of the worst insurance company abuses. The new law puts consumers in control of their health care decisions. And the new law extends important new coverage benefits under insurance plans.

Starting today plans cannot discriminate against children with pre-existing conditions. No longer will insurance companies be able to deny tens of thousands of families insurance each year for their children because of a pre-existing condition.

Starting today insurance companies are banned from canceling your coverage due to an unintentional mistake on your application. No longer will insurance companies be allowed to arbitrarily drop your coverage when you get sick and need it the most.

Starting today insurance companies can no longer place lifetime or restrictive annual limits on coverage. No longer will families need to worry that their coverage will run out when they need it the most.

Starting today when you purchase or join a new insurance plan, you have the right to choose your own doctor in your network. No longer will insurance companies be able to arbitrarily decide which doctor you have to see.

Starting today, if you purchase or join a new insurance policy, you will be guaranteed the right to appeal insurance company decisions to an independent third party. No longer will consumers find themselves with nowhere to turn when insurers deny them coverage or restrict their treatment.

Starting today, providers and suppliers—that is doctors and medical equipment manufacturers—who fail a fraud screening will be denied eligibility for payments under government programs like Medicare and Medicaid. No longer will providers and suppliers be able to defraud the government and taxpayers instead of provide quality health care.

There is more. Starting today, young adults will be allowed to remain on their parents' plan until their 26th birthday, unless they are offered coverage at work. No longer will young adults be without affordable coverage options. Now they will have choices to transition them into their adult lives and protect them from financial ruin.

And starting today, if you purchase or join a new insurance plan, you will be able to receive free recommended preventive care. No longer will Americans have to forgo valuable preventive care until it is too late.

All of the benefits that begin today are in addition to the benefits that families and businesses already enjoy as a result of the new health reform law.

Already because of the new law, across the Nation, federally subsidized preexisting condition insurance plans are available for Americans with pre-existing conditions who have been denied coverage by insurance companies.

Already because of the new law up to 4,000 small businesses are eligible for tax credits this year if they provide health insurance for their employees.

Already because of the new law, more than 2,000 businesses have qualified to receive reimbursement for the retiree coverage that they provide.

And already because of the new law, more than a million seniors have received rebate checks to reduce their prescription drug out-of-pocket costs in the donut hole.

Today, with this 6-month mark, we pass a key milestone on our road to providing quality, affordable health care to all Americans.

This milestone is just one of many along the road. But this milestone is one that signals an end to the insurance companies' worst abuses. This milestone signals the beginning to pa-

tient-controlled health care, and that is something to celebrate.

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

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

#### LUMBEE RECOGNITION ACT

Mrs. HAGAN. Mr. President, I come to the floor today to discuss an issue that is vitally important to North Carolina's economy, and to the heritage and cultural identity of more than 40,000 Americans. I urge my colleagues to join me in supporting the Lumbee Recognition Act.

The Lumbee Indians are among the earliest North Carolinians. They descended from the coastal tribes of North Carolina and lived along the Lumber River before our Nation was founded.

During that time, the Lumbee have maintained a distinct community in what is now Robeson County, NC, with more than 40,000 current members in and around the county seat of Lumberton.

Tribe members have worked diligently throughout the generations to sustain a strong tribal society.

Each and every Lumbee can trace his or her ancestry to the tribe's base roll, which is comprised of school and church records and early 20th-century census data. This common ancestry has bound the tribe for generations and established the Lumbee as a long-standing, distinct community in southeastern North Carolina.

Nearly two-thirds of the tribe live within 15 miles of the city of Pembroke, where they start families and businesses, run for tribal office, and attend the annual Fourth of July parade.

The Lumbee fought alongside the American Colonists during the Revolutionary War, and helped shape North Carolina's history.

But because the tribe lacked a formal treaty relationship with the new United States, the tribe has worked for over 120 years to win the recognition that they so clearly deserve.

As has been noted by the Senate Indian Affairs Committee, "The Lumbees have a longstanding history of functioning like an Indian tribe and being recognized as such by State and local authorities. Since 1885, the Lumbees have maintained an active political relationship with the State of North Carolina."

The State officially recognized the tribe in 1885, and established a separate school system for Lumbee children.

With initial enrollment limited to children who could demonstrate at least four generations of Lumbee descent, this autonomous school system has remained in place for over 100 years.

And in the late 1800s, the State of North Carolina established the Indian Normal School to train Lumbee teachers for the tribe's school system. This school has been in continuous operation since that time and has grown into the University of North Carolina at Pembroke.

The university is obviously now open to enrollment for all Americans, but continues to serve as an anchor of the Lumbee community.

Despite generations of uninterrupted self-governing, the Lumbee still have not received full recognition by the Federal Government.

Instead, Congress in 1956 enacted the Lumbee Act, which simultaneously recognized the tribe, but denied tribal members access to Federal services.

The Lumbee Recognition Act, which I have introduced with my colleague from North Carolina, Senator BURR, would rectify this longstanding inequity, and provide the Lumbee with the full recognition that they so clearly deserve.

Beyond simple fairness, the issue of Lumbee recognition is critically important to the North Carolina economy, and to counties and communities that have been hardest hit by the recent economic downturn.

Because the 1956 Lumbee Act forbade the Lumbee from pursuing the Federal resources available to every other recognized tribe in the country, the tribe does not have access to critical services through the Bureau of Indian Affairs and Indian Health Service.

The Harvard School of Public Health has found that residents of Robeson County have a lower average life expectancy due to persistent poverty and limited access to affordable health care. Our bill will enable the Lumbee to combat these trends through sustained economic development and quality health services.

It will allow members of the Lumbee tribe to access critical programs through Indian Health Services, and will help treat and prevent chronic illnesses that negatively affect the quality of life in the region.

With a healthier population, and access to Federal programs, the tribe can focus on economic development. Robeson County has an unemployment rate above 12 percent, and the surrounding counties of Scotland, Hoke, Cumberland, Bladen, and Columbia continue to experience unemployment rates that are among the highest in North Carolina.

Economic development programs through the Bureau of Indian Affairs will allow the tribe to create jobs where they are needed most, and will support a true economic recovery in this distressed region.

The Lumbee Recognition Act was introduced in the House by my North Carolina colleague, Congressman MIKE MCINTYRE, who has been a tireless champion for the Lumbee since coming to Congress.

Due largely to Congressman MCINTYRE's efforts, the House has passed

the Lumbee Recognition Act with a strong bipartisan majority twice in the last 3 years.

Here in the Senate, the bill has been approved by the Indian Affairs Committee, and now awaits consideration on the Senate floor.

Some have also argued that the cost of providing BIA and Indian Health services to the Lumbee will be too high, and that Lumbee recognition will draw down funds that are currently going to other tribes. I certainly understand these concerns.

But, I want to be clear, the Lumbee do not want recognition on the backs of other tribes, and this bill will not increase the Federal deficit. This bill simply ensures that the Lumbee are eligible for the same services as their peers. Funding for these services will be subject to future appropriations, and the Lumbee will not dilute support for tribes that currently receive Federal resources.

I want to stress again that this effort is about one thing, providing the recognition that the Lumbee need to improve their quality of life and create jobs in their community.

The tribe is not seeking Federal gaming rights, and, in fact, this legislation explicitly denies the tribe's ability to operate casinos.

Some have also argued that the Lumbee do not need Federal recognition because they can apply for acknowledgement through the Bureau of Indian Affairs administrative process. But let me be clear about this: the Lumbees have been prohibited from being considered by this process.

This is because the Lumbee were unfortunate enough to win partial recognition during a time when the BIA was actively working to terminate longstanding relationships with tribes and roll back Federal services for Native Americans across the country.

The 1956 Lumbee Act expressly precludes the tribe from pursuing Federal acknowledgment through the Bureau of Indian Affairs administrative process. Thus, while the Lumbee were identified in Federal legislation as a tribe more than 50 years ago, existing law strictly limits the group's ability to access vital services otherwise available to a federally designated tribe.

As the Senate Indian Affairs Committee has noted, Congress placed only one other Indian tribe in a similar position. In 1965, the Tiwa Indians of Texas won recognition in Congress, but were prohibited from pursuing BIA and other Federal services.

Congress recognized this problem, and in 1987 passed legislation granting full recognition to the tribe. This has left the Lumbee as the only tribe in America that is at once recognized by the Federal Government and forbidden from accessing critical programs that are available to every other tribe in the country.

The administration has recognized this basic inequity, and at a House hearing on the bill last year, George

Skibine, Deputy Assistant Secretary for Policy and Economic Development for Indian Affairs, testified that, "There are rare circumstances when Congress should intervene and recognize a tribal group, and the case of the Lumbee Indians is one such rare case."

I could not agree more. I urge my colleagues to pass this important legislation with no further delay.

Lumbee Chairman Purnell Swett is here in the Senate Gallery, and has been meeting with a number of Senators to discuss this effort. I thank him for joining us, and encourage my colleagues to take time to hear from him how vital this bill is for his community and his people.

Federal recognition is about more than Federal resources and creating economic development opportunities for this community. It is about tribal identity.

The Lumbee have fought for the recognition they deserve for over 100 years. Truly, this recognition is long overdue.

We must ensure the Lumbee are no longer treated as a second-class tribe, and I ask my colleagues to join me in supporting the Lumbee Recognition Act.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS-CONSENT REQUEST— S. 510

Mr. DURBIN. Mr. President, I come to the floor this afternoon, in the presence of Senator COBURN of Oklahoma and Senator HARKIN of Iowa, to discuss an issue I have worked on literally for my entire congressional career—food safety. This is an issue which has haunted me since my days in the House of Representatives when I received a letter from a woman in Chicago, far outside of my central Illinois congressional district, who told me the story of her 6-year-old son Alex. She brought home a pound of hamburger from the local grocery store and fed it to her son, and he was dead 3 days later from food contamination that led to a very painful, horrible death which has haunted her to this day. Her name is Nancy Donnelly. She has focused her life on making food safety laws better in America. I have joined her in that effort. I was inspired by her tragedy and by the many people who came to me and explained how they had been through similar circumstances.

For almost 20 years now, I have been taking on this issue. I have tried from the very beginning to bring to the attention of Members of Congress the fact that there are at least 12 different