

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

Today, we do not grieve for Kenny Evans, for now he is free to follow the path God has laid out for him. Kenny took God's hand when he heard Him call.

Good Morning and on behalf of Charolette and the entire Evans Family, I offer the following remarks highlighting our friend, Kenny Evans.

My name is Michael Oscar and I serve as Sen. Specter's Executive Director in Southeastern Pennsylvania. For nearly a decade, I had the distinct pleasure of working with Kenny in many different legislative and political capacities. It is with this background and distinction that I speak to you today.

May it be said of Kenny, the words of Alfred, Lord Tennyson:

"I am a part of all that I have met  
To much is taken, much abides  
That which we are, we are . . .  
One equal temper of heroic hearts  
Strong in will  
To strive, to seek, to find, and not to yield."

Kenny personified these words because his cause was ours,—you and me—the cause of the common man and the common woman. His commitment was to those who Andrew Jackson called "the humble members of society: the farmers, mechanics, laborers, and the forgotten."

On this foundation for the past three decades with Sen. Specter and beyond, Kenny defined our values, refined our policies, and refreshed our faith. He did this by operating behind the scenes with much grace, class, and dignity.

There was never a problem no matter how big or small, he did not try to solve, a request he did not try to respond to, or a person he did not try to help. This was his marquee value.

Kenny's work ethic and style mentored future generations of congressional staffers, political candidates, and current legislators in the art and science of politics. As Al Jackson, his friend and luncheon companion for nearly 27 years, stated on numerous occasions, "he is the maestro of politics"—instinctively knowing how to deal with people and their everyday concerns.

In my opinion, he earned this astute characterization because he worked from the ground up, which provided him the proper rubric on how to communicate with people.

As his Executive Director for the past five years, I witnessed firsthand his innate ability to soften even the harshest of personalities. There was not a day that went by that Susan Segal would say, "Kenny would be the perfect choice to handle this constituent."

"And handle this constituent he did" because his commitment went well beyond the federal scope. Whatever it took, a phone call, a letter, a closed door meeting. He was a tireless advocate always on a mission.

When I first joined Senator Specter's staff in Washington, D.C. before coming to Philadelphia, my COS at the time, Carey Lackman told me "you had an impressive list of references, but none greater than Kenny Evans." Candidly, I didn't know what Carey was talking about. I had no idea who Kenny Evans was and he was not listed as one of my references.

I later learned that Kenny worked closely with one of my former employer's, Michael Kunz, the Clerk of Court for the District Court. When Mr. Kunz heard that I applied for the position he called Kenny to advocate on my behalf. Apparently, Kenny immediately called Carey and stated, "this guy worked for the clerk, do you know how many calls a day I get from constituents to get out of jury duty? You need to hire this guy."

However, my first and lasting impression of Kenny occurred about a year later. Many of you may not be aware of this, but Kenny, along with Al Jackson, established the first urban aquaculture center in the nation.

Many of you like me are probably scratching your heads right now wondering what is aquaculture. Well, it's any crop that is cultured in water—whether it be shrimp, fish, or seaweed.

Kenny learned about aquaculture from his numerous luncheon conversations with Al Jackson and over the course of a year, they drafted this unique partnership between the University of Pennsylvania and Cheyney University. They wanted to provide African American students the opportunity to learn this unusual science.

Proudly I report to you today, the center has been successfully funded for the past seven years by the U.S. Department of Agriculture and has graduated nearly 188 African American students in the field of urban aquaculture. This was just one accomplishment of many that Kenny succeeded in on behalf of Sen. Specter.

Beyond Kenny's political acumen, he mentored all of us on how to keep things simple, light. When I was drafted by the Senator to run his Philadelphia Office, I heard one of my predecessors define it as "Kennyism." Those Kennyisms have sustained me and our team in Philadelphia for many years and they will never be forgotten.

One specific anecdote that defines what we collectively call a "Kennyism" was when I was on a leave of absence from the Senator's office to run Rep. Mike Fitzpatrick's campaign. Despite my absence from the office, my three-year-old son, Liam, at the time was enrolled in the daycare center located in the Green Federal Building.

So for three days a week, I drove down to the city to drop him off. Before heading up to the campaign office in Doylestown, I would stop by the second floor cafeteria to grab a cup of coffee and I was always greeted by Kenny's chuckle.

He would tell me "Sit down, Mike, tell me about the campaign and more importantly, how is your family?" He would listen, he would laugh, and he taught me to keep it light. He would end every conversation with "It will be ok."

Speaking of campaigns, when I had the pleasure of accompanying the Senator during his visit with Kenny just a few weeks ago in the hospital, Kenny despite his medical maladies went right to work assessing for the Senator how the African American Community along with many others will come out for him in his re-election. Yes, many a "kennyism" was shared that day.

A few short weeks later, I went back to visit with Kenny, along with Al Jackson, and Elvis Solivan, another stalwart of the Specter Team. While there I had this memorable conversation with Kenny's grandson, Lamont. He told me how his grandfather would bring the Senator's Lincoln Town Car home and when he did he would offer his grandchildren a ride in it, and if they accepted the offer then they would wash it later.

When I heard the story, I just laughed. "Senator, rest assured, no one yet from the Oscar family has ridden in the Lincoln let alone washed it except for their father."

Upon your arrival at today's services, you may have noticed that radiant photo of Kenny, Charolette, and President Obama. On that day, Tuesday, September 15, 2009, candidly, Kenny was noticeably not well, but we wanted to ensure he received his photo with the first African American President of the United States.

That said, I grasped Kenny's hand, along with Charolette's and together we raced down the long convention center hallway

with Andy Wallace at our side running interference. When we got to the photo line, we were immediately escorted to the front of the line. I turned to Shanin Specter and asked him to introduce Kenny and Charolette to the President, and he replied, "No," but he immediately responded with "Mike, I want you to do it."

So, I proceeded to the President, "Mr. President, I would like to introduce you to Kenny and Charolette Evans. Kenny has been with the Senator for the past 30 years." President Obama retorted, "my man, Kenny Evans" and extended a warm hug and handshake. Without question, I will NEVER forget that moment.

Ladies and Gentlemen, for those of us who are a part of our friend of Sen. Specter's Alumni and Family, please do not regard today in sorrow, rather rejoice in Kenny's memory and adapt his cause to your daily work.

Find comfort and solace in knowing that Kenny joins Carey Lackman and Tom Bowman, former staffers that were dedicated to the cause in helping the common man and woman of Pennsylvania and the nation. Imagine if you will the conversation they must be having right now.

For the rest of us assembled here today and to Kenny's family; specifically, Charolette, I offer this summation of a consummate advocate for the little guy, Kenny Evans, by recounting the final sentence of Sen. Ted Kennedy's "The Dream Shall Never Die Speech," at the 1980 Democratic National Convention:

"For all of those whose cares have been our concern, the work goes on, the cause endures, the hope still lives, and the dream shall never die."

As in everything we do, may God be blessed! Thank you.

Mr. SPECTER. Madam President, I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold the suggestion of the absence of a quorum?

Mr. SPECTER. I do.

#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

#### UNITED STATES CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009—Continued

The PRESIDING OFFICER. The Senator from Ohio is recognized.

#### HEALTH CARE REFORM

Mr. BROWN of Ohio. Mr. President, right now there is a meeting at the White House that is being covered extensively by the media live. There has been much anticipation about the meeting between the President and a number of Members of Congress, equally divided between the two bodies, the House and Senate, and the two political parties. It is a chance for both sides to listen to each other. The media has decided that by and large this is going to be unproductive. I watched a good bit of it today. At least people are

being open with what they believe and what they want.

There clearly are major differences between the two parties when it comes to health care. It goes back a couple, three generations. It certainly goes back to the mid-1960s, to 1965 especially, when the Senate and the House and President Johnson signed the Medicare bill. An overwhelming number of Republicans opposed it and an overwhelming number of Democrats supported it. It wasn't as partisanly charged as this, but it had the same interest groups around it, including the same insurance company opposition, the same accusations by—it was the John Birch Society then. Today it is the tea parties who oppose it. They didn't talk about death panels back then. Perhaps the John Birch Society wasn't as creative as are the tea party people, but they said it would be a takeover by big government of health care; the government would stand between the patient and the doctor. None of that has happened with Medicare. The kinds of accusations and charges and scare tactics used by the insurance industry and mostly Republican opponents in the 1960s to Medicare are very similar to the opponents to health care today.

So I say, setting the table, that there are major differences between the two parties. I was speaking to a couple of school groups recently, one from Lakewood, OH, and one from the University of Miami in Oxford, southwest Ohio. They asked about partisanship.

One woman said: I am neither a Republican nor Democrat—a young person, a 19- or 20-year-old college student. She said: I don't understand why they are blocking appointments, why you can't even agree on that, to even have a vote.

So the partisanship is surely more charged today than it has been. I explained to them it is not so much party as ideological differences; that Democrats are believers by and large in things such as Medicare, and the Republicans think: Let the insurance industry do it. That is fine. That is a legitimate philosophical difference. The Republicans side with the insurance industry, and the Democrats believe government can play a positive role—not an overreach but a positive role in people's lives by running programs such as Medicare, by running programs such as Social Security, by running programs such as student loans, agencies such as the Environmental Protection Agency which has made our country significantly safer and people's neighborhoods significantly safer.

There are some people on the other side of the aisle who just want President Obama to fail. I don't think that is a majority of Republicans; I think it is some number. Let's ignore that for a moment and just think there are philosophical differences between the two parties. I say that because I think there is something more going on, and that is that on a lot of these issues

there has been bipartisanship on this bill.

I sit on the Health Education, Labor and Pensions Committee. We did our work on this bill back in May. Clearly, this hasn't been rushed through the Congress or rushed through with reconciliation. The Bush administration, on their big initiatives, pushed them through quickly without nearly as much debate as we have had, but, nonetheless, we sat in the HELP Committee and—the Presiding Officer knows this—we accepted, I believe, 163 Republican amendments. I voted for probably 155 of them. I agreed with most of them.

At the same time, the Finance Committee had negotiations with three Republican and three Democratic Senators. I think they took too long—that is my opinion—but the fact is, they had negotiations for months. There were discussions in May and June and July and August and September. Finally, Chairman BAUCUS, in frustration, said: Let's move forward. This doesn't seem to be working.

So there has been plenty of Republican input into this bill. There has been plenty of bipartisanship. As I said, there have been Republican amendments which have given the bill a Republican flavor and certainly a bipartisan flavor. There were a couple of specific matters. They wanted to allow health insurers to sell across State lines. We did that in the bill. The bill has provisions that allow a company in Indiana to sell insurance to residents of Ohio.

A company in Indiana can sell in Ohio, and a company in Ohio can sell insurance to somebody across the line in Fort Wayne or in Richmond or in Indianapolis or in Gary or anywhere else in that State.

So we listened to that, and we included that in the bill because that is one the Republicans always talk about: If you would only let us sell across State lines, that would be a great thing. That is what we did. We agreed to that.

The second big issue the Republicans talk about is allowing individuals and small businesses and trade associations to pool together so they can acquire health insurance at lower prices, much the way the large corporations and unions do. We did it. We set up exchanges that are basically clearinghouses of companies so that individuals can go into these exchanges and buy insurance and spread the risk out among millions of people. Or small businesses can take their employees—for a company that may have 25 employees, if one or two of them get sick from cancer, let's say, that small business will either—at best, that small business's premiums will go up and at worst they will get their premiums canceled. If two or three or four employees are sick and it costs tens of thousands or maybe hundreds of thousands of dollars, you can be in a risk pool with millions so your rates don't spike up. So the Republicans were

right about that: Let them go into pools, and we did that.

So my point is, there is Republican flavor to this bill. There is Republican input—not just input, negotiations and successes—in this bill. There are 160 Republican amendments out of the HELP Committee in this bill. There have been almost unending discussions surrounding the bill. Yet the Republicans, to a person, oppose the bill. The only reason I can figure that out—not that it doesn't have bipartisanship to it—the only reason I can figure it out is what my colleague, Senator DEMINT from South Carolina, said: If this bill goes down, it is the President's Waterloo.

I don't want to accuse my colleagues on the other side of the aisle of wanting this to fail in order to have the Democrats fail or wanting this to fail to damage Barack Obama's Presidency. I don't think that. I am not accusing them of that. I just wonder.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### HEALTH CARE

Mr. LEMIEUX. Mr. President, I come to the floor today to speak on the issue of health care. Right now the leaders of this body, as well as the House of Representatives, are meeting with the President of the United States and members of his Cabinet at the Blair House to discuss the current health care reform proposal and where we should go forward to improve the health care of the people of this country.

I come to the floor today to talk about a specific portion of their discussion concerning health care fraud prevention.

Today, my colleague from Oklahoma, Senator COBURN, brought up with the President of the United States the issue of health care fraud prevention. As a Senator from Florida, this is something I have great concern about because, unfortunately, we are the capital of health care fraud for this country. I have put forward a proposal—S. 2128, the Health Care Fraud Prevention Act—to go after this very problem. Today, Senator COBURN brought up the fact that we believe that \$1 out of every \$3 spent on health care through Medicare or Medicaid or other public programs—\$1 out of \$3—is fraud, waste, or abuse—a shocking number. In fact, the belief is that \$60 billion a year in the Medicare system alone—health care for seniors—is waste, fraud, and abuse.

Unfortunately, we don't have systems in place to go after and prevent that waste, fraud, and abuse. What we do in the Federal system when we think there is fraud is we send prosecutors and law enforcement folks out to

combat the fraud. These folks are doing a very good job, and there has been a lot of good work done in my home State of Florida. But the truth is, that is going after the fraud after it has already happened, and oftentimes there is no money left to collect. What we need to do is what I have proposed, and what the Health Care Fraud Prevention Act, S. 2128, accomplishes is it stops the fraud before it starts.

I was happy today that the President agreed we need to prevent health care fraud. He said we have already incorporated all of the good ideas on this. I hope that means we are going to pass S. 2128. It is a bipartisan supported bill. It is a bill that will stop the fraud before it starts. It is not, however, in the Senate bill we passed in December. When I tried to bring this measure to the floor as an amendment, it was objected to. Since that time, I have worked with my colleagues on both the Democratic and Republican side of the aisle to move this measure forward. Senator BAUCUS and I have spoken about it. In the 11-page memo the President put forward, it references doing in part what S. 2128 would accomplish. So I hope that in the new proposal, we will put forward S. 2128 and pass it.

Quickly, what does the bill do? It does three things:

One, it creates a chief health care fraud prevention officer of the United States. That person, appointed by the President, would work at the agency for health and human services, and their only job would be ferreting out fraud. When there is \$60 billion in Medicare alone and potentially that much in Medicaid and across the health care system—we think \$¼ trillion a year in fraud, waste, or abuse—it is worth having one person whose whole job is to try to prevent that fraud. Remember, if this money is recovered, we can use it to provide health care, we can improve the quality of care because there will be more money going into actually helping our seniors, helping the poor, helping our veterans.

The second thing the bill does is it takes a model from the private sector—it borrows a page, if you will—because we have an industry in this country that does an excellent job of preventing fraud, and it is the credit card business. We have all had this experience. You go somewhere and use your credit card, and you get a phone call or an e-mail from your credit card company. They tell you some transaction has just occurred and ask: Did you really mean to have that transaction? Did you authorize that purchase? And you call them up and say either yes or no.

I have a young family, Mr. President, as you know. When I got appointed to the Senate, I brought my kids and my wife up here so we could be close. I have three children 6 and under and a baby coming in a month, so we are here in Washington, DC, most of the time. I had to do what any good dad would have to do: I had to go out and buy a television.

I went to Best Buy and bought a television. I live in Tallahassee, so before I left the store, my credit card sent me an e-mail. You live in Florida, is what this system is doing and thinking, and you are buying a television, which is a highly suspicious purchase, and you are doing it in Washington, DC. So I tell them yes, and the transaction goes through. If I tell them no, they do not pay Best Buy. They do not pay unless there is a verification on the front end.

We can use that same technology in health care to set up a predictive modeling system to prevent the fraud before it starts. I called the worldwide head of fraud prevention for MasterCard and asked him: Can we do what you do in health care? He said: Sure you can, and I will help you.

There is no reason we can't stop billions of dollars of waste, fraud, and abuse.

Mr. President, before we go on to all the other issues in health care that we can't agree upon, we should call up this bill and we should pass it. We would get 100 votes, I bet, in the Senate, and we could save what one group here in Washington thinks is \$20 billion a year. That is \$20 billion we could use to maybe pay down the debt and the deficit or put it back into Medicare, which is hurting and is going to run out of money in a few years. We could do good things with that money.

The third thing this bill does is it requires a background check for every health care provider. Can you believe we don't check the criminal records of people who claim they are providing health care to our seniors? We don't check to see if they are felons. We had a guy in Miami who was a convicted murderer who claimed to be a health care provider. This would require we do a background check. And if you are a criminal, guess what. You don't get to provide health care. You don't get to dupe the system.

So I hope we will take up this bill. I am appreciative of Senator COBURN. I am glad the President recognizes we can all agree on this. If we can all agree, let's get something done. Let's call the bill up and let's pass it.

#### HAITI

Mr. President, I had the opportunity to go on a congressional visit to Haiti a couple of weeks ago—actually, 2 weeks from tomorrow. We were there on the 1-month anniversary of the tragic earthquake that killed more than 200,000 people. Two hundred thousand people died in Haiti. Myself and the other Members of the Senate and the House who went there were able to see some of the tragedy.

We visited the cathedral in Haiti. You often hear President Clinton talk about this wonderful Catholic cathedral in Haiti that stood the test of time but could not stand the test of this earthquake. In fact, really the only prominent part of this cathedral that still stood, unbelievably, was the cross.

We talked to the people who were there. They are a wonderful and resil-

ient people, and it is amazing that they could go on with the tragedy they had experienced.

I had the great honor to visit the GESCO Ford Operating Hospital, staffed mostly by American doctors and nurses, some of them from Miami, some of them from Orlando, in my home State of Florida. They are doing wonderful work.

We met with the President of the country and the Prime Minister and Ministers of the President's Cabinet, and we talked about what are the next steps.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter I authored to the President of the United States, to which I will be referring.

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

U.S. SENATE,  
WASHINGTON, DC 20510  
February 18, 2010.

Hon. BARACK OBAMA,  
President of the United States,  
Washington, D.C.

DEAR MR. PRESIDENT: On Friday, February 12, we traveled to Haiti with a bipartisan group of colleagues from the House and Senate, led by Speaker Pelosi. The situation in Port-au-Prince, Haiti is dire. While much good work has been done to provide water and food, and to bury the dead, international assistance will be required for years to come.

Although a disaster of historic proportions, this earthquake provides great opportunity for renewal and rebirth as tragedies of the past have for cities around the globe. The goal must not be to return Haiti to where it was on January 11, 2010, but to assist the Haitian people in rebuilding a better, prosperous, and stable country.

We understand that in the coming weeks your administration will put forth a funding proposal to provide further relief to the Haitian people. For our efforts to be accomplished, that funding must be pursuant to a long-term plan for the success of Haiti's re-development. Accordingly, we suggest the following:

With the aid of the international community, Haiti must develop a long-term plan for investment. That plan must include defined goals and accountability measures that ensure both transparency and sustainable progress. Second, funds must be provided in a significant way to the Haitian people directly. Micro-loans for small businesses and similar targeted programs that are directly linked to economic performance will foster entrepreneurship and organic business growth. Third, a priority of international assistance to Haiti must be to ensure the well-being, safety, and security of the thousands of orphans that are currently living in Haiti. Fourth, long-term projects must focus on infrastructure and job growth with a special attention on developing centers of commerce outside the capital city, to strengthen the economy and disperse the population. Finally, a task force composed of Haitian-American leaders should be convened to tap the energy and vigor of America's Haitian community to sustain support for the relief effort.

In the short term, a joint effort must begin immediately to move displaced Haitians to high ground before the rainy season begins in the coming weeks. Thousands of Haitians are living in low-lying camps, and tragedy will strike again when the rain comes. We urge your administration to stress this point

with President Préval and Prime Minister Bellerive.

In the midst of the terrible disaster, we were all struck by the strength and resiliency of the Haitian people. With a long-term, measurable plan for redevelopment, the people of Haiti can achieve an economy and a society worthy of our investment and their tremendous sacrifice.

Sincerely,

GEORGE S. LEMIEUX,  
BILL NELSON,  
AMY KLOBUCHAR,  
FRANK R. LAUTENBERG,  
*U.S. Senators.*

Mr. LEMIEUX. Mr. President, this letter is cosigned by myself, Senator NELSON, my colleague from Florida, Senator KLOBUCHAR, as well as Senator LAUTENBERG, all of whom were on the trip with me. The letter basically asks the President to do four things in trying to focus our help and relief for this country.

We have been involved in trying to help the Haitian people for decades, and the American people have opened their hearts and their wallets to help the situation in Haiti, but the situation is dire. I cannot think of a more complicated, difficult problem than trying to bring Haiti forward to a sustainable place.

Haiti was already in bad shape, but it had a path forward and progress was being made. Now, as you drive the streets of Port-au-Prince, it looks like a bombed area. It looks like a war zone. You will randomly see three buildings standing as if nothing had happened and then a building that is completely and utterly destroyed. Right now, thousands of people are huddled together in these makeshift camps in low-lying areas. My great fear for the short-term is that when the rains come, which they will in the next weeks in Haiti, there will be another great tragedy. So we have to be focused in our help.

So I, along with my colleagues, sent this letter to the President and asked the President to do four things:

First, create a long-term sustainable plan for Haiti and put in charge of that plan, on behalf of our relief efforts, a trustee, along with an inspector general, along with a board of advisers, to work in partnership with the Haitian Government to make sure the money is spent wisely. We cannot just send billions of dollars into Haiti and let the money evaporate in short-term solutions. There needs to be a long-term sustainable plan.

Second, we have to provide funds to the Haitian people directly. Small businesses need microloans so they can provide jobs for the people of Haiti. We can't just give the money to third-party contractors.

Third, we have to be focused on this orphan issue. We have to make sure it is done legally, and where it is done legally, we have to make sure we get those children to their adoptive parents as quickly as possible.

Fourth, we have to make sure Port-au-Prince is not the center of the en-

tire population for the country of Haiti. We are putting too many people in one place when tragedy strikes. We need to encourage development throughout the country.

I had the honor of having the President of Royal Caribbean cruise lines in my office yesterday—a Floridian, Adam Goldstein—and we talked about tourism to Haiti. There is a beautiful citadel in Haiti that would be a wonderful attraction for cruise ship tourists. There have been all sorts of difficulties building a road to it and making sure it is safe and secure.

We need to find ways to create jobs outside of Port-au-Prince, outside that city, so that fragile humanity is not all focused in one place.

Finally, we need to make sure the Diaspora of Haiti, the Haitian-American people—for example, we have about 250,000 Haitian Americans in Florida—are involved in the rebuilding of Haiti. They need to be welcomed. They are dying to get involved. They are hungry to get involved in this process of rebuilding their home country.

So I hope the President will put together this commission, appoint a strong leader—a Colin Powell or someone of that magnitude—as the trustee to work with the Haitian people to rebuild the island of Haiti, and I hope we can get effort and energy behind that proposal quickly so we don't have any other significant challenges in the coming months ahead for the Haitian people.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I rise today because our economy is struggling. Unemployment remains high, and the recession's hold on cities across America is as strong as ever. My home State of Nevada has been one of the hardest hit, and our tourism-dependent economy is barely hanging on. Unfortunately, this is true for tourism-dependent cities across our country.

During these difficult economic times, it simply isn't enough to try to stimulate domestic spending by passing one massive spending bill after another. We need to incentivize tourists from across the world to visit the truly unique destinations across America. From one coast of this country to the other, there are endless opportunities to tour historic sights, take advantage of recreational opportunities, observe great architecture, visit theme parks, dine in some of the finest restaurants in the world, view natural and man-made miracles, and soak up everything that is so uniquely found in America. We all know we live in the best country in the world. Now is the time for people across the world to enjoy all we have to offer while repairing our economy at the same time.

My colleague from North Dakota, Senator DORGAN, understands the importance of reasserting our tourism industry on the world stage. Together, he

and I have sponsored the Travel Promotion Act, which is before us today. This bipartisan piece of legislation would help to make our travel and tourism industry more successful and more competitive internationally. So I thank my colleague, Senator DORGAN, for his great leadership on this important issue.

Tourism is our country's truest form of economic stimulus. The average overseas visitor to the United States spends roughly \$4,500 per trip to pay for hotels, transportation, dining, shopping, and other things. Unfortunately, tourism took a massive hit on 9/11, and it has not yet recovered. This lost decade has only been made worse by last year's recession.

If the United States had managed to keep pace with global travel trends, 68 million more travelers would have visited the United States between 2000 and 2009. These travelers would have generated an estimated 250,000 new U.S. jobs in 2008 alone.

At a time when unemployment is at record-high numbers in this country, we cannot afford to throw away anymore tourism-related job creation. We could take a cue from Canada on successful ways to spur this tourism that we need so badly. If you have been watching the Olympics, you have seen these ads about British Columbia. I don't know about the rest of you, but it has made me actually want to go up and visit. But it is not just watching the Olympics. It is the ads that have been the most successful part of making me want to go to that part of the world. They have beautiful things to advertise, to show you: Doesn't that look like an incredible place to go visit?

Think about all we have in America that we can advertise to the rest of the world that may not have thought about it. I didn't think about going up to Vancouver and British Columbia, but those ads spurred my interest in it, and I am sure they have for many Americans and other people around the world. Tourism-related jobs can be created simply by spreading the word about the wonderful destinations that are literally scattered across the United States of America, and we can do it without raising taxes on hard-working American families or by digging ourselves even further into debt.

Unfortunately, the United States has dropped the ball when it comes to tourism and the industry has been virtually left behind. Declines in visits to the United States since 2000 have cost our country an estimated \$500 billion in lost spending and at least \$30 billion in lost tax receipts.

My speech today is not all gloom and doom, however. Instead, I stand here to offer a solution, a solution that can help get our hard-hit tourism industry back on its feet. What we need is a comprehensive strategy coordinated by public-private partnerships between the Government and the expert leaders

from our travel and tourism industry. This effort needs to center on a major initiative that will make the wonderful destinations throughout our great country known to foreign audiences. Actually, we do not want them to just be aware of these magnificent places. We want them to feel compelled to visit them.

September 11, 2001, forever changed our country and the security measures along with it. But we need to teach potential visitors about the new security policies of today so they can travel to and from our country with ease.

The bottom line is, the United States stands to make great gains economically and diplomatically if we strengthen our travel and tourism industry. So how do we go about doing this? The Travel Promotion Act which is before us today would create a public-private corporation for travel promotion to promote the United States as a travel destination to overseas travelers. This corporation would develop and execute a plan to do the following: It would promote the United States to foreign travelers by using coordinated advertising campaigns and other promotional activities, similar to what we see in the Olympics with Canada; the corporation would identify and correct misperceptions about U.S. travel policies; it would also help provide travel information to foreign visitors to the United States such as information about entry requirements, fees, and documents; and last, the corporation would focus its efforts to ensure that all 50 States benefit from overseas tourism, including areas not traditionally visited by international travelers.

Understand this, no taxpayer funds would be used to finance the corporation for travel promotion. Let me repeat that. No taxpayer funds would be used to finance the corporation for travel promotion. All the funding would come from private industry and from user fees paid by some international visitors. This would finally put the United States on equal footing with many other developed countries.

This legislation would be a true lifeline to my home State of Nevada, which depends so heavily on travel and tourism. I mentioned earlier my State was one of the hardest hit. But I do not think that description does the situation in Nevada justice. The tourism industry in Nevada, especially Las Vegas, has truly been crippled by the economy. Nevadans who were already struggling through home foreclosures have been forced to carry the burden of the downturned economy. Taxicab drivers, valets, housekeepers, waiters and waitresses and construction workers are drowning in this recession because Americans are not traveling like they used to. These workers are barely keeping their heads above water and some are not even able to do that. They are losing their homes, which has truly annihilated the housing market in my State.

Boosting overseas travel will provide for growth in an otherwise shrinking

segment of our economy, and it will help heal local economies around our country. This will, in turn, greatly advance our overall economy at a time when we cannot afford to turn away the potential of hundreds of billions of dollars.

With domestic travel and convention travel down, overseas travel could be the silver lining we all need. At a time when our country faces record deficit and spending levels, I know this money may seem like a lot. Believe me when I say to you that I take my pledge of fiscal responsibility very seriously. I vote against spending bills that come across this floor all the time because they simply are an irresponsible waste of hard-earned taxpayer dollars. However, this bill is a responsible use of dollars. It does not apply a government spending bandaid to tough economic situations. It creates a solution that will greatly benefit our economy, and it does it without taxpayer dollars.

The Travel Promotion Act, which has the overwhelming support of Democrats and Republicans alike, is a relatively small investment that will significantly boost our economy, create jobs, and make us more competitive in the world. The bill will not increase the deficit. This bill does not increase the deficit. But it could spur billions in additional economic activity, benefiting Americans all around the country.

The Congressional Budget Office—nonpartisan, the official scorekeeper around here—confirms it will not place any additional burden on the taxpayer. People across my State and across the country have had to make difficult decisions when it comes to their own families' budgets. In fact, the legislature in my home State of Nevada is coming to terms with steep spending cuts and slashing services across the board as we speak, in a special session, because it is too far in the hole to sustain the current spending spree. So Americans are looking to us to boost the economy and so far we have not been able to do that.

Yes, we have spent money—and a lot of money at that, in fact—but our economic situation remains the same. I am asking that we look to the tourism industry as a lifeline for our economy, as I know it will be for my State and for so many others. The Travel Promotion Act will be that lifeline. It will create jobs, create opportunity, and show the world the beauty and the diversity of America.

Each one of us, who together represent all 50 States, knows we have incredible places to show the rest of the world. My home State of Nevada is actually the gateway to the Grand Canyon, which is located in Arizona. We have Lake Tahoe. We have, obviously, Las Vegas. We have so many other places to visit around our great State. But every single Senator could tell those stories. What we need to do is tell them in a way that makes foreign travelers want to come to America.

The Travel Promotion Act is going to help us do that.

Let me remind folks, if you watch the Olympics, ask yourself these questions when those commercials about British Columbia come on: Does that make you more or less likely to go, especially if you can afford it? I think the answer is pretty obvious. They make an attractive case to visit their country.

This is the United States of America, with some of the most beautiful, incredible places to see. Are you telling me we cannot advertise this in a way that makes people want to come here? Of course we can. We can have tourism boosted like never before in this country and all Americans will benefit by doing that because when foreign travelers come here, they spend money, boost the economy, and boost every single State in this country.

I encourage this Senate to pass this bill as quickly as possible and get it over to the President for signature so we can get on with boosting the economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. Mr. President, may I ask what is the pending business before the Senate?

The PRESIDING OFFICER. The travel promotion bill.

Mr. WEBB. I ask unanimous consent to speak for 5 minutes as in morning business.

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

#### KENNAN NOMINATION

Mr. WEBB. Mr. President, I would like to speak for a few minutes on behalf of Justice Barbara M. Kennan, who is the nominee to serve on the Fourth Circuit Court. I respectfully request, in the name of good governance and the proper functioning of our constitutional system, that our colleagues on the other side of the aisle allow a prompt vote on her nomination.

Justice Kennan was voted out of committee in October of last year by a unanimous voice vote. Her nomination is noncontroversial. She has been a dedicated public servant, a fair and balanced jurist, and her nomination has had broad bipartisan support. I believe it is critical that we move forward as quickly as possible to confirm her nomination.

There are currently four vacancies on the Fourth Circuit, more than any other circuit. The seat that Justice Kennan would fill has been vacant for more than 2 years. Justice Kennan is an extraordinary choice to fill this vacancy. She has been a State supreme court justice since 1991. She has been a trailblazer for women in the law throughout her career. At the age of 29, she was the first female general district court judge in Virginia when she was selected for the Fairfax County bench. That was in 1980. She became the first female circuit court judge when she was promoted to that court in 1982.

In 1985, she was 1 of 10 judges named to the First Virginia Court of Appeals and the only woman when that court was created. She was selected for the State Supreme Court, the second female justice ever to serve there, in 1991. She was, in fact, the first judge to have served on all four levels of Virginia's courts.

I also would like to point out when Governor McDonnell was recently sworn into his office, he specifically requested that Justice Kennan deliver him the oath of office. There is a wide bipartisan consensus inside Virginia about the quality of this nominee, and I am very hopeful we can move forward in an expeditious way.

I am mindful of the Senate's constitutional role in confirming executive nominations. It is vitally important, and a robust vetting process and debate is appropriate. We have conducted, inside Virginia in our delegation, that kind of vetting process which resulted in Justice Kennan's name being moved forward.

In the spirit of pragmatic bipartisanship and good governance, I believe it is time to move past these procedural delays that seem to infect us and get on with the business of governing.

I would like to point out that out of 876 Federal judgeships, there are now 100 vacancies. These delays affect the administration of justice. These vacancies delay the resolution of disputes and they diminish our citizens' rights to a speedy trial. It is my understanding that Justice Kennan has broad support in this body. The vote in the Judiciary Committee is evidence of that. In fact, I will be very surprised if any Senator were to vote against her confirmation. Again, I am asking my colleagues on the other side of the aisle if they might allow this nomination to advance in a timely way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

Mr. KAUFMAN. Thank you.

(The remarks of Mr. KAUFMAN pertaining to the introduction of S. 3043 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KAUFMAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

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

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

#### HEALTH CARE REFORM

Mr. BURRIS. Madam President, as I address this Chamber, President Obama is hosting the leaders of both political parties in a summit on the issue of health care reform. He has asked for all serious proposals to be brought to the table, once and for all, in an effort to bridge the gap between the House and Senate legislation and pass a final bill. He even provided his own proposal for how we can reconcile these bills with one another.

I thank the President for his leadership on this issue and his continued commitment to the issue of health care reform. I am glad he has called Republicans and Democrats to the table once again in yet another effort to reenergize this debate and move forward on behalf of the American people. I remain confident that we can still get this work done. That is why I have come to the floor today: to reaffirm my commitment to comprehensive health care reform and to urge my colleagues to join with our President and the leadership of our respective parties to find a real solution. In fact, I recently joined many of my colleagues in signing a letter urging this Senate to pass a bill that includes a public option—something everyone in this room knows I have supported since the beginning of this long debate. No matter what comes out of this afternoon's summit, I will judge our final proposal based on its ability to acknowledge three goals—the same three goals I have called for time and again over the past several months.

Our reform bill must restore competition to the insurance market, it must give us the tools to hold insurance companies accountable, and it must provide real cost savings to the American people. I am confident we can pass a measure that is capable of meeting these goals. I remain confident that after nearly a century of inaction, the American people demand and deserve nothing less.

Every President, every Congress, every ordinary citizen in the past 97 years has had to wrestle with a health care system that is broken and inadequate, a system that our predecessors consistently failed to fix; a system that has deteriorated badly over the last few decades and that remains unworthy of this great Nation. Today, 47 million Americans are without health insurance and 88 million do not have stable coverage. As a result of our broken system, 45 million Americans die every single year because they had no health insurance. These shocking facts should never be far from our minds as we debate these issues. They are more than statistics; they are ordinary Americans who desperately need our help.

As I address this Chamber today, we stand on the verge of correcting the oversights of the past century and getting these people the help they need. Legislation has been written, amended, and rewritten. We have compromised and compromised again. Each Chamber of the Congress has passed a comprehensive bill. Neither bill is perfect but both represent significant progress. We are so close to doing this. Now is the time to finish the journey.

Late last year, both the House and Senate voted for health care reform with a strong voice and a clear majority. At this point, we have only to reconcile the differences between these two bills. Just this week, President Obama released his detailed proposal outlining exactly how we can get this done. I urge my colleagues from both Chambers and from both parties to strongly consider this option.

Regardless of how we choose to proceed after today's bipartisan health care summit, let us come away with a definite plan of action. Let us come away with a plan to get this done, a plan that includes competition, cost savings, and accountability.

It is time to realize the promise of the last 100 years. I urge my colleagues to finish the fight that Teddy Roosevelt first waged more than a generation before any of us were born. Now is not the time to lose our nerve. Now is the time to act with conviction. Let's not allow the obstructionist tactics of a few to undermine legislation that garnered 60 votes in this Chamber and 220 votes in the House. I refuse to accept that a handful of "no" votes can invalidate 280 votes. I refuse to accept that the minority party can stifle the voices of millions of Americans and hundreds of Members of Congress who have demanded that we win this fight. I call upon my colleagues in both Chambers to look past our differences and carry out the will of the American people. They sent Democrats to Congress with the largest majority in decades. They elected a President who has pledged himself to this cause.

As far as the American people are concerned, this debate was over a long time ago. This issue has carried the day. This is the measure that the American people voted for in 2008 and, my fellow Democrats, this is what our party is all about. Now is not the time to shrink from the fight but to engage in it. Now is not the time to falter or to second-guess the wisdom of the folks who sent us here. Now is the time to take bold action, to forge ahead, to carry forward the ideas and principles of our party by delivering real results and delivering for the American people a health care plan that will give them protection and not see their premiums going up 39 percent and 40 percent.

Comprehensive health care reform will extend quality coverage to 31 million Americans. It will reduce premiums and prevent insurance companies from abusing their customers or discriminating against people who get

sick. Can my colleagues imagine: You get sick and think you have coverage today and then they cancel your policy and you have no coverage. The majority leader stood on the floor yesterday and told the story about the young kid with the cleft lip where the father paid \$90,000 because the insurance company canceled the policy because the kid was born with a cleft lip. That is unconscionable. We in this country should not tolerate it.

The Senate bill could even cut the Federal deficit by about \$1 trillion over the next two decades. I ask my colleagues: What are we waiting for? This is about values, not politics. Our country deserves better, so let's make it happen.

In politics, it is easy to find excuses. It is easy to wait, to delay, to place blame on another and throw up our hands. That is not leadership. That is not what the American people have called upon us to do and it is far less than they deserve. The American people have been waiting for 100 years, and I, for one, think that is quite long enough.

I say to my colleagues: It is time for us to lead. It is time to take up the mantle of Teddy Roosevelt and, yes, Teddy Kennedy, and everyone in between. Because this isn't just about health care; it is about creating jobs, helping small businesses, and keeping America on the road to economic recovery. These issues are not separate as some would have us believe. They are tied inextricably together. Fixing the American health care system will reduce the deficit, make it easier for small businesses to meet expenses, create jobs, and provide health coverage to more Americans than ever before. The way I see it, we cannot afford to wait any longer.

So let us act with a strong, united voice. I urge my colleagues to join me in passing a final health care bill and sending it to President Obama as soon as possible. Yesterday would have been all right. Let's win this fight. Let's stand up for what we believe in and succeed where our predecessors came up short. The stakes are too high to settle for anything else.

I say to my colleagues, and to those who are meeting today with the President, we must come up and out of this summit with a plan that is going to give health insurance to the people of America not tomorrow, not next week, but right now.

Thank you, Madam President. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

Mr. REID. Mr. President, Nevada's tourism has been hit hard by the slow-

ing worldwide economy. And when tourism in Nevada hurts, the entire State suffers.

Hardworking people have lost their jobs. The State's budget has taken a major hit. Because that budget is largely funded by tourism, funding for vital programs in our State are at risk.

But Nevada is not alone. Its problem is not unique. Tourism is one of the top industries in nearly every State in the country and one of the largest employers in America.

That is why this bill is so important. This is an opportunity not only to give American tourism a boost, but it is one of the many ways we are working to create jobs and help our economy recover.

The concept behind it is simple: It says, let's create jobs and reduce the deficit. It is a win-win for the economy of every State and our national economy alike.

And it is a bipartisan bill that take the strategies that have made Las Vegas such a success and brings them to our entire Nation's tourism industry.

This week, the U.S. Travel Association called the last 10 years a "lost decade" for tourism. It cost us half a million jobs and half a billion dollars in lost spending. This bill will turn that around.

The travel promotion bill is a jobs bill. It is about creating jobs, it is about growing our economy and it is about keeping the United States competitive in the world travel business.

UNANIMOUS CONSENT REQUEST—H.R. 4691

I ask unanimous consent that the Senate proceed to the consideration of H.R. 4691, which is a 30-day extension of provisions which expire on Sunday, February 28—they are an unemployment insurance extension; COBRA, health insurance for the unemployed; flood insurance; the Satellite Home Viewer Act; highway funding; SBA business loans and small business provisions of the American Recovery Act; SGR, which is the so-called doctor fix; and poverty guidelines—received from the House and at the desk; that the bill be read three times, passed, and the motion to reconsider be made and laid on the table.

This matter passed the House unanimously today. The reason it passed the House unanimously today, if we don't do something about this, all around America, about 1½ million people who will be watching TV will no longer watch TV. This is mostly in rural areas of America, rural areas of Nevada. I guess we could be hard-hearted and say they don't need to watch TV, but in Nevada we have very harsh winters in many parts of the State. For many of these people, the only way they can get information is through television. It could lead to some very serious problems. If we talk about flood insurance, even though Nevada is a very dry State, this is something we need to do for States where we have all kinds of problems with floods all the time. We,

in northern Nevada and in southern Nevada, have had some devastating floods, not often but we have them. Highway funding, this costs nothing, what we are doing here, the extension costs zero. SBA business loans, this costs \$60 million to allow the SBA to continue processing programs to allow people who want to have a business to get a few dollars so they can continue or start a new business. We are not going to be able to do this because it expires at the end of this month; small business provisions of the Recovery Act, the same thing; poverty guidelines, these things cost nothing basically nothing; the SGR, it is my understanding about \$1 billion is being asked for here. I think it is such a shame that we don't get this done. The big ones, though, from my perspective, are the poor. We have people who weren't poor who are now poor because they have been unemployed for so long. This will terminate on Monday. I talked to the Presiding Officer. In just a matter of weeks, 65,000 people in Illinois will no longer be able to draw these benefits. In the State of Nevada, which is not as heavily populated as Illinois, thousands of people who have been unemployed for long periods of time—and I repeat, they started out in this business not being poor; they are poor now—it would be a shame not to give them those moneys.

My friend, the distinguished Senator from Kentucky, is going to say: Pay for all this. As I have gone through everything we have talked about, it doesn't cost much money. Unemployment compensation does. It costs a lot of money. We have millions of people who are unemployed. In years past, when we wanted to extend unemployment benefits, it was an emergency, a declared emergency historically in this body. Why? Because it is an emergency. We have rules in effect, pay-go rules we have passed. Of course, we can look to that as a step forward. But that doesn't mean we don't have emergencies.

I would also say that COBRA—what is COBRA? It is a program to help people who are out of work or who lose their jobs get insurance.

Anyway, I say to my friend from Kentucky, I would hope that for the people I have described who are just wanting us to do our work, we can get that done. I hope my friend would not object to this.

The PRESIDING OFFICER (Mr. DURBIN). Is there objection?

Mr. BUNNING. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Kentucky, Mr. BUNNING.

The majority leader.

UNANIMOUS CONSENT REQUEST—H.R. 4691

Mr. REID. I ask unanimous consent that the Senate now proceed to H.R. 4691 and that the Reid of Nevada substitute amendment which is the desk be considered read; that the Republican leader or his designee be recognized to offer a substitute amendment, and

there be 60 minutes of debate with respect to that amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of that time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on the motion to waive the point of order; that if the waiver is successful, the amendment be agreed to and the Reid substitute, as amended, be agreed to; that if the waiver fails, the amendment be withdrawn; further, that there be 30 minutes for debate with respect to the Reid substitute amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of that time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on the motion to waive the point of order; that if the waiver is successful, the Senate proceed to vote on adoption of the Reid substitute amendment; further, that no further amendments, motions, except a motion to reconsider a vote, or debate be in order; that upon disposition of the Reid substitute amendment, the bill, as amended, be read a third time; and following the reading by the clerk of the budgetary effects of the pay-go legislation with respect to H.R. 1586, the Senate proceed to vote on passage of the bill, as amended; that upon passage, the title amendment, which is at the desk, be considered and agreed to.

Before my friend from Kentucky makes his feelings known, let me say this. This is something we worked out yesterday. When I say "we," that means Democrats and Republicans, all except one Senator. What this agreement allows is for all the provisions in this, these extensions be paid for out of the stimulus or the economic recovery money. That is a fair vote. Some people want to do that. Let's vote on it. We know what the rules are. We are sent here to vote. We are not sent here to object. When 99 Senators want something done, it is not right for one Senator to hold it up. My friend has that right. But it is a real problem for so many different people. I would hope we could have a vote. We can do it tonight and move on to other things.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. Reserving the right to object, I just wish to make sure I am objecting to the right motion. In the third-to-last sentence, the leader used, in my opinion, the wrong number. He used H.R. 1586.

Mr. REID. Mr. President, the Senator from Kentucky is right. I have it written here.

Mr. BUNNING. It should be 4691.

Mr. REID. That was my mistake. I appreciate the Senator catching that.

Mr. BUNNING. I object.

The PRESIDING OFFICER. Objection is heard by the Senator from Kentucky, Mr. BUNNING.

Mr. BUNNING. Mr. President, may I now speak and propose a unanimous consent? First of all, let me say this to my good friend from Nevada. I have worked all day trying to work out a compromise, anywhere from 2 to 4 weeks on this UC, trying to get it paid for, for the time of the extension. We were very close. We tried to get agreement using different pay-fors than what I am going to propose. But in the final analysis, it came down to, when the White House summit adjourned, the leader came back and it was going to be his way and no one else's way. That is what it turned into. I am going to propose a 30-day extension with an offset. So I am as anxious to get those same provisions he has brought up—the COBRA, flood insurance, Satellite Home Viewer Act, highway funding, SBA provisions, American Recovery Act, SGR, poverty guidelines. I wish to get them renewed also.

UNANIMOUS CONSENT REQUEST—H.R. 4691

So, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4691; that the amendment at the desk, which offers a full offset, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. BURRIS). Is there objection?

The majority leader is recognized.

Mr. REID. Mr. President, reserving the right to object, there probably has never been a time in the history of our country when we had economic conditions that are like they are today—unemployment all over this country averaging some 10 percent; some States as high as 14 percent. If there were ever an emergency with our economy, it is tonight, it is today. And to think we are not going to declare this an emergency?

Millions of people are unemployed, millions of people have been unemployed for long periods of time and their unemployment benefits are running out. They are not able to buy their health insurance because the program is going to expire on Monday.

The Senate has a history of treating unemployment benefits as an emergency. No one, I repeat, can argue that the current economic downturn does not represent a grave emergency. So, Mr. President, I am forced to object.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, I now ask unanimous consent that notwithstanding rule XXII, the cloture vote on the motion to concur in the House amendment to the Senate amendment to H.R. 1299 occur at 7:50 p.m. tonight—3 minutes from now—that if cloture is invoked, then all postcloture time be considered yielded back, Senator DEMINT then be recognized for up to 10 minutes to move to suspend the rules;

that upon the use of that time, the Senate then proceed to vote on the DeMint motion; that if the DeMint motion is successful, then the amendment be agreed to, and the motion to concur with the amendment be agreed to; that if the DeMint motion fails, then no other motions or debate be in order; that the motion to concur with an amendment be withdrawn, and the Senate then proceed to vote on the Reid of Nevada motion to concur in the House amendment to the Senate amendment to the bill, H.R. 1299.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, we expect to have three votes here tonight. As soon as those are done, we will not have another vote until Tuesday, but it will be in the morning.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1299, the United States Capitol Police Administrative Technical Corrections Act.

Harry Reid, Byron L. Dorgan, Russell D. Feingold, Patrick J. Leahy, Daniel K. Inouye, Kay R. Hagan, Jeff Bingaman, Robert Menendez, Richard J. Durbin, Jack Reed, Mark Begich, Patty Murray, Bernard Sanders, Robert P. Casey, Jr., Barbara Boxer, Jon Tester, John D. Rockefeller IV.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1299, the United States Capitol Police Administrative Technical Corrections Act, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 76, nays 20, as follows:

[Rollcall Vote No. 26 Leg.]

YEAS—76

Akaka	Baucus	Begich
Alexander	Bayh	Bennet

Bennett	Hagan	Nelson (NE)
Bingaman	Harkin	Nelson (FL)
Bond	Hatch	Pryor
Boxer	Inouye	Reed
Brown (OH)	Isakson	Reid
Burris	Johanns	Rockefeller
Byrd	Johnson	Sanders
Cantwell	Kaufman	Schumer
Cardin	Kerry	Shaheen
Carper	Klobuchar	Shaheen
Casey	Kohl	Snowe
Chambliss	Landrieu	Specter
Cochran	Leahy	Stabenow
Collins	LeMieux	Tester
Conrad	Levin	Thune
Dodd	Lieberman	Udall (CO)
Dorgan	Lincoln	Udall (NM)
Durbin	Lugar	Vitter
Ensign	McCaskill	Voivovich
Feingold	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wicker
Gillibrand	Murkowski	Wyden
Graham	Murray	

## NAYS—20

Barrasso	Cornyn	McCain
Brown (MA)	Crapo	McConnell
Brownback	DeMint	Risch
Bunning	Enzi	Roberts
Burr	Grassley	Sessions
Coburn	Gregg	Shelby
Corker	Kyl	

## NOT VOTING—4

Hutchison	Lautenberg
Inhofe	Warner

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 20. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

## UNANIMOUS CONSENT AGREEMENT

Mr. REID. Mr. President, I ask unanimous consent that following the remarks of Senator DEMINT, his vote and the next vote be 10 minutes in duration.

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

Cloture having been invoked, the motion to refer falls.

Under the previous order, all postcloture time is yielded back.

The Senator from South Carolina, Mr. DEMINT, is recognized for up to 10 minutes.

Mr. DEMINT. Mr. President, I know many here are very anxious to start a new government agency, and I won't hold you up for very long.

It is important that we recognize some things that are happening. There is probably one good thing we can do tonight—maybe—to stop the landslide of more government control. In the last year—a little over a year—we have seen this Federal Government take over two of our largest auto companies, our largest mortgage company, our largest insurance company, and expand its control on America's domestic energy sources, and, of course, we had the debate on trying to expand control of health care.

We are expecting, very soon, a new financial reform package that will expand Federal control everywhere from Wall Street to the local pawnshop.

While these big things are coming in front of us, there are things happening in the executive branch that are circumventing Congress, and that should concern us. A lot of you have heard

from industries back home about what the EPA standards are doing. Businesses don't know what to expect, nor do local communities. I had an engine company in my office today that said orders were on hold until they find out what the EPA is going to do. I have also had people in my office in the last week talking about the FCC and the coming ruling on expanding control over the Internet—one place in our economy that continues to boom with innovation.

There is one thing that just leaked out that I want to bring to your attention. We need to try to halt that tonight before it is too late. A whistleblower at the Department of the Interior leaked a document that shows they are considering using the Antiquities Act to grab over 10 million acres of land in nine Western States and basically take them offline of jobs for mining, forestry, and energy. This includes Nevada, Utah, Montana, New Mexico, California, Arizona, Oregon, Colorado, and Washington. It is important that we stop this and at least have some Senate hearings on what they are trying to do.

This is a priority for what we are talking about today because the President and the Congress have said our top priority is jobs. This action by the Interior Department will hurt jobs. It will dry up tax revenues in local communities and States. It will restrict energy supplies in this country.

Mr. President, all I am asking is that we suspend the rules, which require 67 votes, and vote on this amendment to stop the Department of the Interior from taking over over 10 million acres of land and hurting our economy and jobs.

I promised the leader I would keep it to less than 10 minutes. I encourage everybody to support this motion I am getting ready to make.

Mr. President, I move to suspend the provisions of rule XXII, including germaneness requirements, for the purpose of proposing and considering my amendment, which is at the desk, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BINGAMAN. Mr. President, I rise in opposition to the motion of the Senator from South Carolina to suspend rule XXII and offer an amendment to prohibit the establishment of national monuments under the Antiquities Act or any other law.

I understand that the proposed amendment is in response to allegations that a portion of an internal planning memo at the Department of the Interior identified several areas throughout the country as areas that may be appropriate for potential national monument consideration.

The Secretary of the Interior has stated that the document was simply a brainstorming exercise to identify sites on public land that might merit more

serious consideration for possible management options, and that no decisions have been made about which areas, if any, might merit more serious review and consideration.

I don't think it makes sense to try to legislate every time an article appears in a newspaper. I would observe that even the document in question that was leaked to certain Members of Congress states that "further evaluations should be completed prior to any decision, including an assessment of public and Congressional support," and Secretary Salazar has publicly stated his view that new designations and conservation initiatives work best when they build on local efforts. So I think that any attempt to legislate at this time is very premature.

Apart from the substantive problems with the proposed DeMint amendment, the travel promotion bill is not the appropriate legislation to consider this issue, and waiving the Senate rules to allow for consideration of an amendment that would not otherwise be in order is, in my view, not appropriate.

For these reasons, I oppose the motion to suspend rule XXII.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 38, nays 58, as follows:

## [Rollcall Vote No. 27 Leg.]

## YEAS—38

Barrasso	Crapo	McConnell
Baucus	DeMint	Murkowski
Bennett	Ensign	Nelson (NE)
Bond	Enzi	Risch
Brown (MA)	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Hatch	Shelby
Burr	Isakson	Tester
Chambliss	Johanns	Thune
Coburn	Kyl	Vitter
Cochran	LeMieux	Voivovich
Corker	Lugar	Wicker
Cornyn	McCain	

## NAYS—58

Akaka	Feinstein	Mikulski
Alexander	Franken	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Gregg	Pryor
Bennet	Hagan	Reed
Bingaman	Harkin	Reid
Boxer	Inouye	Rockefeller
Brown (OH)	Johnson	Sanders
Burris	Kaufman	Schumer
Byrd	Kerry	Shaheen
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Snowe
Carper	Landrieu	Specter
Casey	Leahy	Stabenow
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NOT VOTING—4

Hutchison Lautenberg  
Inhofe Warner

The PRESIDING OFFICER. On this vote, the yeas are 38, the nays are 58. Two-thirds of the Senate voting, a quorum being present, not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to concur with amendment No. 3326 is withdrawn.

Mr. INOUE. Mr. President, I am pleased to join my colleagues in support of H.R. 1299, the Capitol Police Administration bill, the legislative vehicle for the Travel Promotion Act of 2009.

The Travel Promotion Act of 2009 will allow the United States to remain competitive as a welcoming destination for foreign travelers. Our ability to explain the processes and changes made by the United States to gain entry for travel will help to ease fears about the entry process. The proposed nonprofit, independent corporation charged with this responsibility will be able to conduct the necessary outreach and promote tourism in a way that the tourism industry cannot. In addition, an Office of Travel Promotion will be able to work with the Department of State and the Department of Homeland Security to improve the entry process.

Promoting the United States as an attractive tourist destination for both leisure and business with international visitors is of the utmost importance to the many States that house destination resorts. Consider the experience of my own home State of Hawaii. Hawaii's economy largely relies on travel and travel related business. Visitors from around the world come to see our islands' natural beauty, and experience the spirit of "Aloha." Our Nation's hospitality industry suffered a severe setback following the events of September 11, 2001, and travel from abroad to the United States fell dramatically.

It is not only the hospitality industry in Hawaii that suffers, but our local businesses. The State of Hawaii boasts its beauty and environment, but many travelers to our State come to do business, which is sometimes obscured or overlooked because of Hawaii's label as a tourist destination. The hospitality industry's employees rely on vacationers and businessmen and women to provide for their families. The economic activity generated by this industry continues to struggle during these financially challenging times.

Hawaii's experience is not unique. The hospitality industry nationwide continues to face similar challenges, and the economic effects have rippled through the nation to impact all of our citizens. The State of Hawaii's visitor statistics continue to reflect the downward trend. Preliminary travel data for 2009 indicate that there was an overall 3.5 percent decline in the number of international visitors to the islands compared to the number of international visitors in 2008. Nationwide,

the number of international visitors between January and November of 2009 fell by 7.2 percent compared to the same period during 2008.

Both developing countries and industrialized economies around the world have ministers and offices that promote travel to their respective countries. However, the United States does not have an office that promotes travel and tourism abroad. This legislation is an important first step in the right direction. Establishing an Office of Travel Promotion will help to attract foreign travelers to the United States. This will not only sustain our tourism based industries, it reinforces business relationships and promotes a better understanding between Americans and our friends abroad. Interacting with the American people is a valuable tool at our disposal to dispel international travelers of misconceptions they may have about our country. Approximately 74 percent of visitors have a more favorable opinion of the United States after visiting our country.

The economic activity generated by international travel and its promotion should be approached in the same manner we foster other industries equally important to jobs and the economy. The Travel Promotion Act of 2009 is vital to our travel and tourism industry's ability to compete globally, and to restore confidence in the United States' image as a country that is committed to welcoming our friends from abroad. I urge my colleagues to support this legislation, and help us ensure that international business and leisure travel to the United States is given all of the tools necessary to succeed.

The question is on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 1299.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 18, as follows:

[Rollcall Vote No. 28 Leg.]

YEAS—78

Akaka	Boxer	Collins
Alexander	Brown (OH)	Conrad
Barrasso	Burr	Dodd
Baucus	Byrd	Dorgan
Bayh	Cantwell	Durbin
Begich	Cardin	Ensign
Bennet	Carper	Enzi
Bennett	Casey	Feingold
Bingaman	Chambliss	Feinstein
Bond	Cochran	Franken

Gillibrand	Levin	Sanders
Graham	Lieberman	Schumer
Hagan	Lincoln	Shaheen
Harkin	Lugar	Snowe
Hatch	McCaskill	Specter
Inouye	Menendez	Stabenow
Isakson	Merkley	Tester
Johanns	Mikulski	Thune
Johnson	Murkowski	Udall (CO)
Kaufman	Murray	Udall (NM)
Kerry	Nelson (NE)	Vitter
Klobuchar	Nelson (FL)	Voivovich
Kohl	Pryor	Webb
Landrieu	Reed	Whitehouse
Leahy	Reid	Wicker
LeMieux	Rockefeller	Wyden

NAYS—18

Brown (MA)	Cornyn	McCain
Brownback	Crapo	McConnell
Bunning	DeMint	Risch
Burr	Grassley	Roberts
Coburn	Gregg	Sessions
Corker	Kyl	Shelby

NOT VOTING—4

Hutchison Lautenberg  
Inhofe Warner

The motion was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INHOFE. Mr. President, I have no real strong feelings about this bill other than that I do not think this country needs to create another corporation, a corporation that would be authorized to impose an annual assessment on U.S. members of the travel and tourism industry represented on a board of directors of the corporation established in the Department of Commerce, Office of Travel Promotion. I do not believe we need another office in this bureaucracy, so I will be voting against this bill. I voted against it on June 22 of last year, September 8 of last year, and September 9 of last year, so my vote would have been the same this year.

UNANIMOUS CONSENT AGREEMENT—H.R. 4213

Mr. REID. Mr. President, I ask unanimous consent that on Monday, March 1, at 3 p.m., the Finance Committee be discharged of H.R. 4213, an act to provide for certain extenders; that once the committee is discharged, the Senate then proceed to its consideration; that after the bill is reported, Senator BAUCUS or his designee be recognized to offer a substitute amendment, and once the amendment is reported by number it be considered read.

Mr. President, prior to a ruling, I would like to express my appreciation to the Republican leader and all those who worked so hard to get us to the point we are at today and next week. We should have a very good week next week. Everyone should be ready for some legislating. There will be a number of amendments offered, some of which I know, most of which I don't know what they will be. But a lot of work has gone into this very important legislation and, again, I express my appreciation to the Republican leader and others who worked so hard to get us to where we are.