

ago, she made her husband keep a promise to reserve Sundays exclusively for private family time. So the bottom line was this: One could ask Mayor Daley 6 days of the week to go anywhere in Chicago or anywhere else but Sunday, no way. He made a promise to Maggie that that was family day. It is a promise he always kept, and we respect him for it.

Two weeks ago, the family announced that their youngest daughter Lally had moved the date of her wedding from New Year's Eve to late November so Maggie could attend. It was a signal that the end was near, but she was at that wedding. There she was in her wheelchair with that irrepressible smile, a beaming mother, celebrating her daughter's happiness. It is quintessential Maggie.

Part of the reason Maggie Daley found such joy in life is that she understood what a fragile gift life can be. In 1981, her third child, Kevin, died from spina bifida just shy of his third birthday. After Kevin's death, she found healing and meaning in reaching out to help others and especially in volunteering to work for kids with disabilities. Someone once called her the godmother of all Chicago's children. Mayor Rahm Emanuel said on her passing that Mayor Rich Daley may have been the head of the city, but Maggie Daley was the heart of Chicago.

In 1991, Maggie and Lois Weisberg, Chicago's long-time Commissioner of Cultural Affairs and an icon in her own right, began something called Gallery 37. There was an abandoned piece of real estate in the middle of downtown Chicago that had been lost in legal and court battles for decades. So Maggie and Lois decided to set up a tent on this old plot of land that was sitting vacant and create Gallery 37, which was an art gallery for kids. All across Chicago they invited kids—grade school and high school—to submit their artwork. We all went down there for the joy of that moment, of seeing the kids and the pride they had, and some of the magnificent artwork they produced, all because Maggie and Lois decided here was an opportunity they couldn't miss.

That program later morphed or matured into an amazing program called After School Matters. Maggie thought: If I can occupy these kids with art and music and drama and theater and chorus during the school year, let's do it after school—a vulnerable time for many kids. So over two decades, Maggie Daley nurtured the artistic talents of thousands of Chicago high school students and became a model for programs in many cities across the country and as far away as London and Australia.

The last time Maggie was in this building was in my office. She came upstairs to visit and to lobby me for money for After School Matters. Needless to say, she won my vote and my support.

Maggie Daley believed that art could change lives. She believed that artistic

talent could exist in children from the Robert Taylor Homes in Chicago as surely as it could from children in better, more wealthy neighborhoods, and that all young people should have the opportunity to develop their talents together. That is why After School Matters has become such an amazing program.

Maggie Daley also served on the auxiliary board of the Art Institute and the Women's Board of the Rehabilitation Institute of Chicago. She was a very busy person.

It was a happy accident that Maggie Daley came to Chicago. Margaret Ann Corbett Daley was born and grew up in a suburb of Pittsburgh. She was the youngest of Patrick and Elizabeth Corbett's seven kids and their only girl. After graduating in 1965 from the University of Dayton, she entered a management training program for Xerox and her job took her to Chicago. She promised her dad she was going to stay in Chicago for 2 years and then come back to Pittsburgh. But in 1970 she met a young attorney named Rich Daley at a Christmas party. They decided to date, got engaged, and were married for nearly 40 years.

The average survival rate for Maggie's form of breast cancer that has spread beyond the breast and lymph nodes is very brief. Maggie Daley lived with this incurable illness for 9 years. Her doctors called it a medical miracle. She endured years of painful treatments and faced her cancer with courage, dignity, grace, and good humor. As the cancer progressed, she relied on crutches, a walker, and eventually even a wheelchair, but the smile never quit.

She donated generously to help open the Maggie Daley Center for Women's Cancer Care at Northwestern Memorial Hospital last year. The center helps other women facing cancer by providing access to doctors and important support services.

Loretta and I obviously offer our deepest condolences to Rich Daley, his wonderful children and their families—all of the Daley children and grandchildren. We trust that time and treasured memories will ease the great sorrow they obviously feel. They can also take comfort in knowing that the legacy of Margaret Corbett Daley can be seen and felt all over her adopted city of Chicago.

Maggie Daley's dedication to the arts will continue in part through the work of her daughters, Nora Daley Conroy, who chairs Chicago's Cultural Affairs Advisory Committee, and, of course, Lally, who will continue in her mom's tradition. Her commitment to education will live on in the lives of the young people she has touched. Her courage will endure in women she inspired who can now find medical care at the center she helped establish.

Maggie Daley was a modest person. She didn't like to talk about herself; she preferred speaking of others. Two years after she was diagnosed with can-

cer, she gave an interview to the Chicago Sun Times in which she hinted about how she felt about the future. This is what she said:

I try not to waste any time. At the end of the day, what's important is if you think that the people around you have maybe had a better day because of some of the things you've done.

By that standard and so many others, Maggie Daley lived a good and full life. She did much good, and she will be greatly missed.

#### PAYROLL TAX CUT EXTENSION

Mr. DURBIN. Mr. President, I will only take a moment to say that we have an opportunity now, before we leave for Christmas, to not forget people across America who are struggling in this economy.

A payroll tax cut, instituted by President Obama and supported by Congress, basically gives more working families a little bit extra money each month. For the average working family in Illinois, it is about \$1,500 a year. For some of us in the Senate, that may not seem like an enormous sum of money, but for families struggling paycheck to paycheck it makes a big difference.

We need to make certain we restore this payroll tax cut which is going to expire at the end of this year. How terrible it would be for us to impose an additional burden on working families, to impose a new payroll tax on working families when they are struggling in this economy that needs their spending power. Every economist taking a look at this has said the two best things Congress can do to help this economy move forward and not fall back is to make sure this payroll tax cut is protected and that this new payroll tax is not imposed on families; and, secondly, to extend unemployment benefits for the millions across America who are still struggling to find a job.

We need to call on our colleagues—Democrats and Republicans. For goodness sake, how can we in good conscience go home to celebrate the holiday season with our families and say to the millions of working families across America: Incidentally, on January 1, your taxes are going up. That is wrong. It is not fair. Whatever our rationale politically, it makes no sense in the family rooms and neighborhoods of America that we would impose a new payroll tax on working families who are working so hard to keep their heads above water. Before we leave, let us follow the lead of Senator BOB CASEY of Pennsylvania who is sponsoring this legislation. Let us extend this payroll tax cut to help working families and help our economy. We should not go home for Christmas without that extension and without some help when it comes to extending unemployment benefits.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

CLARIFYING CONGRESSIONAL  
INTENT

Mr. PRYOR. Mr. President, I come to the floor today to talk about CPT Samson Luke, 33 years old, who lived in Greenwood, AR.

Captain Luke was one of those people who had many options in life. Fortunately for us, he made the decision to serve his country, and he did so with distinction. He was a field artillery officer who served on active duty in the Army from 2000 to 2007. Afterwards, he served in the Arkansas National Guard where he was a commander of the HHB 1-142nd field artillery. Here is a photo of him with his family. His family was very important to him.

He had been to Iraq on two different deployments, after which he was awarded the Bronze Star. As I said, he elected to stay on with the Arkansas National Guard. He served with distinction there. He told his wife, who is pictured here, that he felt he was truly at his best when he was leading men.

I want to talk about him for a moment because, quite frankly, the bean counters over at the Pentagon are trying to save a little money at his family's expense. So I want to talk about his passing away on January 10 of 2010—less than a year ago. It was a weekend where he was doing his required training weekend. He was authorized, because he lived so close to the post, to spend Saturday night with his wife and his four young children at his home instead of staying on the post. In fact, he wasn't authorized to stay on the post because he was so close to home. He had to be off post. The idea was he would return to the post the next morning and finish up his weekend on that Sunday, but he never woke up. While dealing with this tragedy, his wife was informed that her family would not receive his death benefits. From my standpoint, this is a classic case of getting pencil whipped by the government.

The Arkansas National Guard has stepped up. They have done everything they could do. They have run it through all the proper channels. They have been very supportive of making sure that Captain Luke's family gets his death benefits. I feel as though—and people in the Guard do as well—that they are entitled to have the death benefits, but it is out of their hands. The law states that death benefits are allocated if a soldier dies while remaining overnight at or “in the vicinity of the site of the inactive duty training.”

What I want to do with my amendment I am offering through the Defense authorization bill is clarify Congress's intent and make sure that the very tiny number of people who are in his shoes and his family will be entitled to these death benefits.

I spent a year working on this issue with the Army and with the Department of Defense and, again, the Arkansas National Guard has stepped up and they have been great, but we are at a

standstill over the DOD's interpretation of “vicinity.”

This is an important point that I want my colleagues to understand: Had Captain Luke stayed on base or had he stayed at a hotel at the taxpayers' expense or had he been traveling to or from his post—his training—the family would receive these benefits. In fact, the Guard has a policy that if a guardsman lives within so many miles of the post, he or she cannot stay on the post, they have to go home. They don't have arrangements for a person to stay there. They want the person to go home. This saves the government money by not putting people up in a hotel or whatever else they may have to do. When a person is on a National Guard training weekend, as Captain Luke was, that person is under orders for 48 continuous hours. Wherever they are sleeping, wherever they are traveling, whatever they are doing, they are on orders; they are on duty.

Captain Luke was on duty when he died. In fact, if his colonel had called him at 1 o'clock in the morning and said get over here, we need your help on something, he would have had to go over there. He was on duty. He was on orders. He would have done that. In fact, he would have gladly stayed on the post had they had provisions for him to do that, but it worked out in this case that he was able, because he lived so close, to stay with his wife and family.

Also, let me say this: Had he been on orders and gotten out—which, of course, would never have happened to him—but had a soldier like him gotten out and had he done something such as had a DUI that night, that soldier would have been subject to the code of military justice because he was on orders. But, nonetheless, Captain Luke died when he was on orders, and now the Pentagon is trying to deny him his death benefits.

What my amendment does is clarify congressional intent to ensure that servicemembers who live in the area or in the vicinity of their training site can return home to their families in the evening without losing benefits. Again, they are on orders; they remain on orders. This doesn't change anything along those lines; it just clarifies congressional intent. This is a gray area. We are trying to clarify the congressional intent.

This amendment will not bring back the Luke children's father and their mother's husband, but it will give them the benefits to which they are entitled.

I think we can do better for our soldiers' families. When we look at Miranda, Miller, Macklin, Larkin, and Landis Luke in this photograph, we know that this is a very patriotic family and this is a group of people who should be compensated for his loss.

Abraham Lincoln once said: “To care for him who shall have borne the battle and for his widow, and his orphan,” and those words apply in this instance. Captain Luke was serving his country

to the fullest and his family should be granted the benefits associated with the death of a servicemember.

I am fighting on behalf of Captain Luke and his family and for others in a similarly situated circumstance to clarify that when a person is on orders when they are doing their National Guard training, they are entitled to death benefits wherever they happen to be laying their head at that particular time.

One last word on this. We don't know exactly how much this will cost, but it will not be very much money.

Someone estimated—I do not think it is an official CBO score, but someone estimated it would probably cost \$1 million—that is with an “m”—over 10 years. This is budget dust. This is so small, it is almost laughable, but it is so meaningful to this family and maybe others who in the future will find themselves in this situation.

So I would like to ask my colleagues to consider supporting the Pryor amendment. That is amendment No. 1151. I would love to work with the bill managers to see if we might get it into a managers' package and/or, if we have to, request a rollcall vote.

With that, I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING OUR ARMED  
FORCES

COLONEL RANDALL L. KOEHLMOOS

Mr. JOHANNIS. Mr. President, I rise today to honor a great American military leader from Nebraska, Colonel Randall L. Koehlmoos, U.S. Army.

Colonel Koehlmoos died in Jakarta, Indonesia, where he was the Chief of the Office of Defense Cooperation at our U.S. Embassy.

Officers in the U.S. Army have many roles. We most often recognize those who lead soldiers in combat. Others are assigned to protecting and promoting vital American interests throughout the world. During a notable career, Colonel Koehlmoos served with equal skill and commitment in both roles.

His life of public service began early when a high school art teacher invited him to attend a National Guard drill. Randy was hooked. After joining the Nebraska Army National Guard, he attended the University of Nebraska and earned an officer's commission through the ROTC program. He spent much of his early career with the famed 82nd Airborne Division, where he became a master parachutist with over 100 jumps. He led a platoon during the 1991 gulf war and later a company during NATO operations in Bosnia-Herzegovina.