

paragraph (1)(C) that would otherwise apply for each of 2010, 2011, 2012, 2013, and 2014, the update to the single conversion factor shall be 0.5 percent.

“(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2015 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2015 and subsequent years as if subparagraph (A) had never applied.”

**SEC. 3. REDUCTION IN TARP FUNDS TO OFFSET THE COSTS OF THE PAYMENT UPDATE FOR MEDICARE PHYSICIANS' SERVICES.**

Paragraph (3) of section 115(a) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5225) is amended by striking “\$1,259,000,000” and inserting “\$179,259,000,000”.

**SA 2697.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1776, to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . HEALTH INSURANCE INDUSTRY ANTITRUST ENFORCEMENT ACT OF 2009.**

(a) **SHORT TITLE.**—This section may be cited as the “Health Insurance Industry Antitrust Enforcement Act of 2009”.

(b) **PURPOSE.**—It is the purpose of this section to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

(c) **PROHIBITION OF ANTI-COMPETITIVE ACTIVITIES.**—Notwithstanding any other provision of law, nothing in the Act of March 9, 1945 (15 U.S.C. 1011 et seq., commonly known as the “McCarran-Ferguson Act”), shall be construed to permit health insurance issuers (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91) or issuers of medical malpractice insurance to engage in any form of price fixing, bid rigging, or market allocations in connection with the conduct of the business of providing health insurance coverage (as defined in such section) or coverage for medical malpractice claims or actions.

(d) **APPLICATION TO ACTIVITIES OF STATE COMMISSIONS OF INSURANCE AND OTHER STATE INSURANCE REGULATORY BODIES.**—Nothing in this section shall apply to the information gathering and rate setting activities of any State commission of insurance, or any other State regulatory entity with authority to set insurance rates.

**NOTICE OF HEARING**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, October 28, 2009, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the role of natural gas in mitigating climate change.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Rosemarie\_Calabro@energy.senate.gov

For further information, please contact Kevin Rennert at (202) 224-7826, or Deborah Estes at (202) 224-5360 or Rosemarie Calabro at (202) 224-5039.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 21, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on October 21, 2009, at 10 a.m. in SD-430.

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

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 21, 2009, at 9:30 a.m. to conduct a hearing entitled “H1N1 Flu: Monitoring the Nation’s Response.”

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

**COMMITTEE ON THE JUDICIARY**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 21, 2009, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

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

**COMMITTEE ON VETERANS' AFFAIRS**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on October 21, 2009. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

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

**COMMITTEE ON SCIENCE AND SPACE**

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Science and Space of the

Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 21, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

**PRIVILEGES OF THE FLOOR**

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Kyle Sheahen and Spencer Baldwin, legal interns on my Judiciary Committee staff, be granted the privilege of the floor for the remainder of this session.

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

**RELATIVE TO THE DEATH OF CLIFFORD PETER HANSEN, FORMER UNITED STATES SENATOR FOR THE STATE OF WYOMING**

Mr. ENZI. Mr. President, it is with a great deal of sadness that Senator BARRASSO and Representative LUMMIS and I inform our colleagues that we have lost one of our good friends and a former Member of this body, Clifford P. Hansen.

Cliff Hansen passed away on Tuesday night at the age of 97. His was, in every sense, a truly remarkable life. He was a man to match his mountains. He came from the shadow of the Tetons. If you have ever been there, you know that when God made the Alps he had a couple left over and he took the biggest ones and he put them in Wyoming, and that is where Jackson Hole is.

Times such as these always draw me to the words of the Bible which remind us that “to everything there is a season, a time for every purpose under heaven.” So it is with all of us. Each role we play, each task we are called to perform is another time for us, another season in our lives.

As has often been said, Cliff Hansen was Wyoming through and through, a favorite son of the West who knew and understood our western way of life better than anyone else. He knew it because he lived it and he lived it each and every day.

Cliff Hansen lived most of his life in the Jackson Hole area—all of his life, except the time he was providing public service. He was born at the base of the Tetons and he lived a life in which he stood as tall and as proud in his support of Wyoming as those magnificent mountains. His parents were homesteaders and from them he learned the importance of working hard for what you believe in and always giving it your best. It was a philosophy that suited him well. A lot of people don't know that as a child he was a stutterer, but he had a phenomenal teacher who worked with him, put rocks in his mouth. He attributed his success at oratory to her help through those years.

A rancher by profession, Cliff spent the early part of his life working the

land and learning to appreciate what a tremendously important resource it was. For him, the land was a precious gift, a legacy that helped him establish himself as a rancher. As he tended the land, he also was working at the local level to address the issues of the day. But that kind of success wasn't enough for him. Determined to find something else he could do to help make a difference, he soon found his way to run for public office. He was a county commissioner and, as a part of that season, he served as Wyoming's Governor.

There was a lot to be done, so Cliff rolled up his sleeves and got right to the tasks at hand. To help the people of our State, Cliff worked to lower the voting age from 21 to 18. To make life a little easier for our senior citizens, he supported increasing retirement pay for State employees. To help the next generation of our State's leaders, he helped increase funding for our schools and our education system.

At that point, Cliff could have called it a day and returned to the ranch to sit back and enjoy reminiscing about all he had accomplished. Once again, it wasn't enough for Cliff. He still had some good ideas and an interest in getting things done. That great heart of his wouldn't let him quit. So it was back to the campaign trail and an offer he once again made to the people of Wyoming to serve them again and began another season in his life. This one resulted in a run for the Senate and a defeat of a very popular Democrat on the way, Teno Roncalio.

In the Senate, Cliff served on the Veterans' Affairs Committee, the Finance Committee, and the Special Committee on Aging. At each post, amid every opportunity, Cliff always had his eye on Wyoming and how he could best be of service to the people back home. He focused on issues such as reservoir projects, recreation and wilderness areas, and making sure we were good stewards of the Federal Treasury. He kept spending under control.

He also made a major change for Wyoming. In the early days, the States got about 37.5 percent royalty on minerals and he was able to raise that, with the help of a lot of his fellow Senators, working across the aisle, to 50 percent. When he got that passed, it was at the time that Gerald Ford was the President and the Chief of Staff was a Wyoming boy named Dick Cheney. Dick Cheney had to initiate a call to Cliff Hansen and let him know the President had some bad news for him.

At that point Dick Cheney put President Ford on the phone and the President said, I have some bad news for you, Cliff. I am going to have to veto that bill.

Cliff Hansen said, I have some bad news for you. I am going to find the votes to override it, and he did.

It has been a great boon to our State.

While Cliff was serving in the Senate, I was serving as president of the Wyoming Jaycees. Diana and I were in

Washington to meet with him. He invited us to the Senate dining room for breakfast. It was a great thrill for Diana and me to have a chance to meet with a Senator. We will never forget how it was to be in that dining room with this good person who turned out to be a trusted and valued friend. It was also my first encounter with grits. I found they taste as the name suggests.

Although Cliff had every reason to be proud of what he had achieved at every stage of his life, he would always be the first to say that he could never have done it alone. Fortunately, he didn't have to, for when he returned to Jackson Hole after graduating from college he married a very special woman, Martha. I have to tell you, her dad was a little bit skeptical. He said, This guy comes from the valley that is known as the safe harbor for horse thieves. Well, it happened, it stuck, and they started a wonderful love story that would last forever. It is an adage that love is stronger than anything that comes to us in life. Cliff and Martha will be forever great examples of that and their story of life and love that lasted 75 years.

Diana and I always enjoyed seeing them together for they were the epitome of a great marriage. Cliff had a warm, engaging personality, he was full of life, and he had a smile that reflected the genuine happiness and contentment that he found in his life and in his family. Martha, by his side, was a kind and gracious woman. With her support and encouragement, Cliff had a tremendous asset in his life and in his political career. She also helped to keep him grounded. I remember one of the stories he often told of coming back from one of the Washington-type gala events where he had been presented an award as legislator of the year, one of 535 people to receive this award. As he was driving home he was reflecting and saying, Martha, how many truly recognized people are there in this world, she quickly said, One less than you think. It is a lesson that he always kept.

I am pleased with the number of calls and e-mails we have had from former staff members. His staff counsel mentioned the kindness he always had, knowing the people who worked at the doors and the elevators, and at that time there were a lot of them who worked in the elevators. But one time he was waiting outside the Chamber door for him to come for a vote and he was getting a little worried that the vote was going to run out, so he went looking for him and found that he was helping a lady in a wheelchair up some of the steps so she could get into the building. It was just the kind of thing he would do, go out of his way to help out.

When I arrived in the Senate, Cliff and Martha became role models for Diana and me. They blazed a trail together and we learned a good deal from watching how they did it. Diana and I

weren't the only ones to learn from Cliff. One thing that so many of us will always remember about him was his love for teaching the next generation about Wyoming's heritage and our land, our agricultural industry, an aspect so important to our State's economy that it is noted on our State seal.

Cliff was very proud of the training arena that was established at his alma mater, the University of Wyoming, in his name. He went there often to visit the College of Agriculture and to meet with the students. Cliff knew full well that the future of our State could be measured by how well we took care of our State's land and he was determined that those who were to follow would have a sense of great responsibility with which they had been entrusted.

Cliff understood the importance of everything he had been given in life, from the greatest of resources to the smallest of everyday things. I remember hearing a story from his grandson that I can't tell as well as his grandson, but I am going to make an attempt at anyway. He was doing something called straightening nails with his grandson and some of his grandson's friends. For those of you who don't know about straightening a nail, you take a nail that is bent that you pull out of some piece of wood and as you pull it, you bend it. He had a coffee can full of those and he had an empty coffee can, and he would take one of the bent nails, put it on a board and tap it with a hammer and then examine it to see if it was straight. His grandson and the other boys who were there said, Why are you going to all that work? Why don't you just go buy some new nails?

He said, How much is this costing me? The answer was, Nothing.

While he was doing this, this tapping away on these nails, Martha came to the door of their house and said, You have a call, Cliff. You have a call on the telephone here. Well, he kept tapping away on the nails, tapping away on the nails. Pretty quickly she came back and she said, Cliff, it is the President of the United States. So he got up and he went in the house and took the phone call. A few minutes later he was back out there tapping away on the nails, tapping away on the nails. His grandson was excited and wanted to know what that was all about and asked him: What did the President want?

Cliff said, The President wanted me to be the Secretary of Interior; tap, tap, tap; tap, tap, tap. I said, No; tap, tap, tap; tap, tap, tap. He was a man who knew what he wanted to do and what he needed to do and could be totally absorbed in whatever he was doing.

There are a lot of stories like that one. Cliff cherished the simpler days and the simpler ways of life. He also appreciated the benefits that would come from technology and innovation and how they would improve cattle and crop production. Technology and innovation, however, could never replace

the basic ideals of working hard, being of good character, and always keeping your word. Those were things that could never be compromised. He has left us all with a great legacy that will continue to inspire and encourage others to follow the path he leaves behind.

With the passing of Cliff Hansen, the political landscape and everyday life in Jackson Hole, WY, the West, and the United States has changed. Wyoming has been blessed to have enjoyed a great history full of remarkable and colorful leaders in every sense of the word who have helped to settle this Nation, tame the West, and bring the United States to the position of greatness and power it enjoys today. We owe a lot to the great people of our past such as Cliff Hansen. Thanks to them, our Nation and the world is a better place for us all to live.

Now this season of his life has come to an end. The season he was born has led to this season when he has died. Everyone who knew him will carry with them a special memory of his life and how the experience of knowing Cliff changed them forever for the better. He was a great gift in our lives and the lives of people all across the country who may never have known him but enjoyed the benefits of his labors. His great calling was to be a teacher and he taught us all a great deal about life by how he lived his own. So much of my State bears his mark for his having passed by. He will be greatly missed for who and what he was. He will never be forgotten for what he accomplished during his 97 years of life.

Diana and all the Enzis and our delegation send our deepest sympathy, our great appreciation, and our love to Martha and all the family. You will be in our thoughts and prayers.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I join Senator ENZI today on the floor to share with our colleagues the profound sorrow that is felt all across the State of Wyoming today as we mourn the death of a western American icon and a former Member of this body, the Senate.

Cliff Hansen, Senator, Wyoming Governor, died last night, October 20, at home at his ranch in Jackson Hole, WY. He was 97 years old. He was at the time of his death the oldest living former Member of the Senate, a career and a life that spanned nearly a century of American history. But it wasn't the length of time he spent on this Earth that makes his life so unique and so meaningful to all of us who knew him and who respected him. It would be difficult to tell the story of Wyoming without also describing the life and the time of Cliff Hansen. They are intertwined, a pioneer State and its patriarch.

If it is true, as many people say, that Wyoming is what America was, Cliff Hansen is the independent spirit, the rugged cowboy who made her great. My

wife Bobbi and I wish to offer our deepest condolences to the Hansen and the Mead families, to his beloved Martha, especially, his wife, as Senator ENZI said, of over 75 years. Just last month they celebrated their 75th wedding anniversary. She was with him to the end.

Cliff Hansen is a legendary Wyoming figure, but to his family he was a dedicated husband, father, a special grandfather and great-grandfather, and someone who will be terribly missed.

He was born October 16, 1912. Prior to graduating from the University of Wyoming, he worked for his parents on a cattle ranch in Teton County. It was there we can presume that Cliff Hansen learned the manner and the skills that would take him from Wyoming to Washington and back.

In 1962, Hansen was elected Governor of Wyoming. He served for 4 years. He believed he could do more for the people of Wyoming in Washington than he could in Cheyenne. So he then ran and won a seat in the Senate and was re-elected by an overwhelming margin in 1972.

These simple dates hardly tell the story. Cliff Hansen was Wyoming's John Wayne—a proud, commonsense cowboy who spoke to the hearts and the minds of a great State.

As we have the opportunity to reflect more on Governor Hansen's passing, to hear, as well, from his family, there will be much more to say and remember about his extraordinary legacy. But today, on the news of his passing to the Kingdom of Heaven—a phrase he used with great reverence—I want to make sure his friends and his colleagues know that God accepts home a great man today.

To his wife Martha, his son Pete Hansen, his grandsons Matt and Brad and their families, his granddaughter Muffy, the Nation, and Wyoming send you our heartfelt condolences. We hope you and your family are comforted by his strength of character, his convictions, and his grace as a truly great man.

I speak today for thousands—for tens of thousands—of people who knew and who loved Cliff Hansen—all that he stood for, all that he today represents that is good about our Nation, the West, and Cliff's beloved Wyoming.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, on behalf of our entire delegation, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 315, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 315) relative to the death of Clifford Peter Hansen, former United States Senator for the State of Wyoming.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ENZI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table en bloc, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 315

Whereas Cliff Hansen worked as a cattle rancher and was inducted into the National Cowboy Hall of Fame as a "Great Westerner;"

Whereas Cliff Hansen served as governor of the State of Wyoming from 1963–1967;

Whereas Cliff Hansen served the people of Wyoming with distinction in the United States Senate from 1967–1978; and

Whereas Cliff Hansen was the oldest former Senator at the time of his death: Now, therefore be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Cliff Hansen, former member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Cliff Hansen.

Mr. ENZI. I thank the Chair. I thank my colleague for his outstanding comments.

#### BOY SCOUTS OF AMERICA DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 112 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 112) designating February 8, 2010, as "Boy Scouts of America Day," in celebration of the 100th anniversary of the largest youth scouting organization in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 112) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 112

Whereas the Boy Scouts of America was incorporated by the Chicago publisher William