

The most common reasons for children being hospitalized were complications from birth, pneumonia and asthma. The study found that the reasons did not differ depending on insurance status.

Earlier studies have found that uninsured children are more likely than insured children to have unmet medical needs, like untreated asthma or diabetes, and are more likely to go for two years without seeing a doctor.

Following a recent expansion, 14 million children will be covered by the CHIP program by 2013, according to the Congressional Budget Office. Advocates for children are concerned that efforts to overhaul the health care system may actually reverse the progress made toward covering more children if CHIP is phased out and many families remain unable to afford health insurance.

"You can't just dump 14 million vulnerable children into a new system without evidence that the benefits and the affordability provisions are better than they are now," Dr. Buist said. "That's not health reform."

Mr. CASEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, as in executive session, I ask unanimous consent that at 4:30 p.m. on Monday, November 9, the Senate proceed to executive session to consider Calendar No. 185, the nomination of Andre M. Davis to be a U.S. Circuit Judge for the Fourth Circuit; that there be 60 minutes of debate with respect to the nominations, with the time equally divided and controlled between Senators LEAHY and SESSIONS or their designees; that at 5:30 p.m. the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be made and laid on the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

Mr. CASEY. For the information of the Senate, if Members wish to speak with respect to this nomination on Friday, they are encouraged to do so.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider en bloc Calendar Nos. 314, 495, 496, 502, 503, 515, 516, 517, 518, 523, 524, 525, 528, and 529; that the nominations be confirmed; that the motions to reconsider be laid on the table en bloc; that no further

motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and that the Senate resume legislative session.

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

The nominations considered and agreed to are as follows:

DEPARTMENT OF STATE

Arturo A. Valenzuela, of the District of Columbia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Rolena Klahn Adorno, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Marvin Krislov, of Ohio, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

DEPARTMENT OF JUSTICE

Laurie O. Robinson, of the District of Columbia, to be an Assistant Attorney General.

Benjamin B. Wagner, of California, to be United States Attorney for the Eastern District of California for the term of four years.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Anne S. Ferro, of Maryland, to be Administrator of the Federal Motor Carrier Safety Administration.

DEPARTMENT OF TRANSPORTATION

Cynthia L. Quarterman, of Georgia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Elizabeth M. Robinson, of Virginia, to be Chief Financial Officer, National Aeronautics and Space Administration.

DEPARTMENT OF COMMERCE

Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology.

MERIT SYSTEMS PROTECTION BOARD

Susan Tsui Grundmann, of Virginia, to be Chairman of the Merit Systems Protection Board.

Susan Tsui Grundmann, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2016.

Anne Marie Wagner, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2014.

DEPARTMENT OF JUSTICE

Carmen Milagros Ortiz, of Massachusetts, to be United States Attorney for the District of Massachusetts for the term of four years.

Edward J. Tarver, of Georgia, to be United States Attorney for the Southern District of Georgia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate resumes legislative session.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

GLOBAL CHILD SURVIVAL ACT OF 2009

Mr. DURBIN. Mr. President, I rise before you today to speak about a population that is all too often forgotten in the poorest corners of our world; women and children. A woman's pregnancy should be a joyous time in her life. Sadly, in many developing countries countless women suffer from pregnancy-related injuries, infections, diseases, and disabilities often with lifelong consequences. Too often their children die or struggle from a lack of basic childhood medical care.

Over the years I have traveled to some of the poorest corners of the world, from Congo to Haiti. I have seen those who struggle to find food and water, battle AIDS, TB and malaria, and fight every day to eke out a living against great odds.

Yet one of the most fundamental struggles I have witnessed is that of a mother and child surviving pregnancy and childbirth. It is heartbreaking to hear stories of women who have been in labor for days before being able to reach a hospital, of those who die giving birth because of a lack of basic medical facilities, of the thousands of children who could be saved with low cost vitamin A supplements, or of the thousands of children left as orphans.

What could be a more fundamental need in our world than making sure women and children survive childbirth?

Reducing child mortality and improving maternal health make up two of the eight United Nations Millennium Development Goals. While progress has been made in many countries, an effort to reduce under-five mortality by two-thirds and improve maternal mortality to achieve MDG targets has made the least progress than any of the other MDG's.

That is why Senators DODD, CORKER and I introduced the Global Child Survival Act of 2009.

This legislation is about strengthening the U.S. Government's role in saving the lives of children and mothers in poor countries. The act would require the U.S. Government to develop a strategy for supporting the improvement of newborns, children, and mothers.

Across the developing world, mothers are dying giving birth from complications such as hemorrhaging, sepsis, hypertensive disorders, and obstructed labor. Each year, more than half a million women die from causes related to pregnancy and childbirth.

The sad reality is that most of these complications have easy and preventable solutions. In fact, if women had access to basic maternal health services, an estimated 80 percent of maternal deaths could be prevented.

Key interventions, such as adequate nutrition, antenatal care, skilled attendance at birth and access to emergency obstetric care when necessary,

are already improving the health outcomes for mothers and infants around the world.

But we can do more. We must do more.

Accordingly, the Global Child Survival Act would create an interagency task force on child and maternal health. Through building local capacity and self-sufficiency, partnering with nongovernmental organizations and participation by local communities we can better coordinate activities directed at achieving maternal and child health goals.

The act builds on existing interventions that support counseling for new mothers. Research has shown that most of the 4 million newborn babies that die every year could be saved by training parents in simple care practices and by training health workers to help newborns with complications.

Factors such as malnutrition, unsafe drinking water, and inadequate access to vaccines contribute greatly to global child mortality. Three quarters of newborn deaths take place in the first 7 days of life; most of these deaths are also preventable. Effective low-cost tools—such as vaccines and antibiotics—could save the lives of 6 million of these children.

The reproductive risks young girls in developing countries face are linked to lower levels of schooling and to underlying factors of poverty, poor nutrition, and reduced access to health care. That is why the Global Child Survival Act also supports activities to promote scholarships for secondary education. Educating girls and young women is one of the most powerful ways of breaking the poverty trap and creating a supportive environment for maternal and newborn health.

I am pleased that many partners in this fight are showing an interest in moving forward in this fight. In May, President Obama announced a Global Health Initiative proposing \$63 billion over 6 years, specifically emphasizing maternal and child health as a piece of the initiative.

President Obama also called attention to maternal and child mortality during his recent travel to Africa. After visiting a USAID funded hospital in Accra, Ghana the President stated, "Part of the reason this is so important is that throughout Africa, the rate of both infant mortality but also maternal mortality is still far too high."

I urge my colleagues to join me in supporting the Global Child Survival Act to help show our commitment to improving the lives of women and children around the world. It is an important step, along with such basics as clean water and sanitation, food security, and education, in improving the lives of the world's poor.

UNEMPLOYMENT COMPENSATION EXTENSION ACT

Mr. BAUCUS. Mr. President, the provision of S.A. 2712 to H.R. 3548, The

Worker, Homeownership, and Business Act of 2009 as voted on yesterday, November 4, 2009, provide relief for unemployed workers, homeowners and businesses. Senate Finance Committee Chairman BAUCUS has asked the non-partisan Joint Committee on Taxation to make available to the public a technical explanation of the bill, JCX-44-09. The technical explanation expresses the committee's understanding and legislative intent behind this important legislation. It is available on the Joint Committee's Web site at www.house.gov/jct.

Mr. President, I ask unanimous consent to have the technical explanation printed in the RECORD.

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

TECHNICAL EXPLANATION OF CERTAIN REVENUE PROVISIONS OF THE WORKER, HOMEOWNERSHIP, AND BUSINESS ASSISTANCE ACT OF 2009

INTRODUCTION

This document, prepared by the staff of the Joint Committee on Taxation, provides a technical explanation of certain revenue provisions of The Worker, Homeownership, and Business Assistance Act of 2009.

A. EXTENSION AND MODIFICATION OF FIRST-TIME HOMEBUYER CREDIT (SECS. 11 AND 12 OF THE BILL AND SEC. 36 OF THE CODE)

PRESENT LAW

In general

An individual who is a first-time homebuyer is allowed a refundable tax credit equal to the lesser of \$8,000 (\$4,000 for a married individual filing separately) or 10 percent of the purchase price of a principal residence. The credit is allowed for qualifying home purchases on or after April 9, 2008, and before December 1, 2009.

The credit phases out for individual taxpayers with modified adjusted gross income between \$75,000 and \$95,000 (\$150,000 and \$170,000 for joint filers) for the year of purchase.

An individual is considered a first-time homebuyer if the individual had no ownership interest in a principal residence in the United States during the 3-year period prior to the purchase of the home.

An election is provided to treat a residence purchased after December 31, 2008, and before December 1, 2009, as purchased on December 31, 2008, so that the credit may be claimed on the 2008 income tax return.

No District of Columbia first-time homebuyer credit is allowed to any taxpayer with respect to the purchase of a residence after December 31, 2008, and before December 1, 2009, if the national first-time homebuyer credit is allowable to such taxpayer (or the taxpayer's spouse) with respect to such purchase.

Recapture

For homes purchased on or before December 31, 2008, the credit is recaptured ratably over fifteen years with no interest charge beginning in the second taxable year after the taxable year in which the home is purchased. For example, if an individual purchases a home in 2008, recapture commences with the 2010 tax return. If the individual sells the home (or the home ceases to be used as the principal residence of the individual or the individual's spouse) prior to complete recapture of the credit, the amount of any credit not previously recaptured is due on the tax return for the year in which the home is sold (or ceases to be used as the principal resi-

dence). However, in the case of a sale to an unrelated person, the amount recaptured may not exceed the amount of gain from the sale of the residence. For this purpose, gain is determined by reducing the basis of the residence by the amount of the credit to the extent not previously recaptured. No amount is recaptured after the death of an individual. In the case of an involuntary conversion of the home, recapture is not accelerated if a new principal residence is acquired within a two-year period. In the case of a transfer of the residence to a spouse or to a former spouse incident to divorce, the transferee spouse (and not the transferor spouse) will be responsible for any future recapture. Recapture does not apply to a home purchased after December 31, 2008 that is treated (at the election of the taxpayer) as purchased on December 31, 2008.

For homes purchased after December 31, 2008, and before December 1, 2009, the credit is recaptured only if the taxpayer disposes of the home (or the home otherwise ceases to be the principal residence of the taxpayer) within 36 months from the date of purchase.

EXPLANATION OF PROVISION

Extension of application period

In general, the credit is extended to apply to a principal residence purchased by the taxpayer before May 1, 2010. The credit applies to the purchase of a principal residence before July 1, 2010 by any taxpayer who enters into a written binding contract before May 1, 2010, to close on the purchase of a principal residence before July 1, 2010.

The waiver of recapture, except in the case of disposition of the home (or the home otherwise ceases to be the principal residence of the taxpayer) within 36 months from the date of purchase, is extended to any purchase of a principal residence after December 31, 2008.

The election to treat a purchase as occurring in a prior year is modified. In the case of a purchase of a principal residence after December 31, 2008, a taxpayer may elect to treat the purchase as made on December 31 of the calendar year preceding the purchase for purposes of claiming the credit on the prior year's tax return.

No District of Columbia first-time homebuyer credit is allowed to any taxpayer with respect to the purchase of a residence after December 31, 2008, if the national first-time homebuyer credit is allowable to such taxpayer (or the taxpayer's spouse) with respect to such purchase.

Long-time residents of the same principal residence

An individual (and, if married, the individual's spouse) who has maintained the same principal residence for any five-consecutive year period during the eight-year period ending on the date of the purchase of a subsequent principal residence is treated as a first-time homebuyer. The maximum allowable credit for such taxpayers is \$6,500 (\$3,250 for a married individual filing separately).

Limitations

The bill raises the income limitations to qualify for the credit. The credit phases out for individual taxpayers with modified adjusted gross income between \$125,000 and \$145,000 (\$225,000 and \$245,000 for joint filers) for the year of purchase.

No credit is allowed for the purchase of any residence if the purchase price exceeds \$800,000.

No credit is allowed unless the taxpayer is 18 years of age as of the date of purchase. A taxpayer who is married is treated as meeting the age requirement if the taxpayer or the taxpayer's spouse meets the age requirement.

The definition of purchase excludes property acquired from a person related to the