

give oral instructions for ordering a controlled substance to the resident's nurse over the phone. In addition, practitioners will be permitted to opt out with certain employees, should a practitioner have a problem with a particular nurse or designee.

Both practitioners and the nursing home will be required to keep written logs, or records, of such oral (or faxed) orders that are submitted by nurses. The nursing home will be further required to keep the list of authorized nurses current and to immediately notify the pharmacy of any changes in this list. Nurses or other licensed health care professionals who are authorized as agents by the nursing home will be required to formally acknowledge their responsibility for ordering and administering controlled substances by accepting liability in terms of certain penalties that would apply under the Controlled Substances Act if they engage in diversion or other unacceptable practices.

Pharmacies will also be required to maintain logs, or records, of the orders that are placed by authorized nurse agents. Pharmacies will be further required to make telephone (or fax) contact with the resident's practitioner, under whose authority the controlled substances were ordered, within 48 hours of the time that the authorized agent transmits the order. The pharmacy will then be required to verify, and record, that the practitioner ordered a controlled substance. The practitioner will also be required to provide a written prescription to the pharmacy for the controlled substance within 10 days of the time that the authorized nurse agent transmits the order. Additional reasonable safeguards may be included.

TRIBUTE TO AMBASSADOR BATU KUTELIA

Mr. KERRY. Mr. President, I rise today to mention a distinguished Ambassador who is leaving Washington after a regrettably short tenure. Batu Kutelia, Ambassador of Georgia to the United States, is returning to his country to assume an important post in his government as Deputy National Security Adviser.

Although Ambassador Kutelia was only in Washington as Ambassador for less than 2 years, he and his wife Sofia and their young family will be missed by the many friends they leave behind. He will also be remembered for reinforcing and advancing his country's relations with the United States.

Ambassador Kutelia represented Georgia in Washington in challenging times. Following the 2008 war with Russia, in which he served as First Deputy Minister of Defense, the Ambassador helped facilitate the economic and political assistance necessary to rebuild and continue Georgia's economic development. He also ensured that Georgia's agenda within the U.S.-Georgia Charter on Strategic Partnership was ambitious and serious. Ambassador Kutelia's work with our government on the training of Georgian forces participating in the NATO International Security Assistance Force mission expedited their successful deployment to Afghanistan.

Ambassador Kutelia possesses a sophisticated understanding of Congress and its responsibilities within our democratic system. He was extremely

accessible, maintaining strong working relationships and friendships with many Members and staffers. During the Ambassador's tenure, it is a fact that Georgia had a persuasive and effective representative whose passion for his nation never flagged and whose engagement with Congress far exceeded that of bigger countries with much larger embassies. Rarely did a Georgian official pass through Washington without at least one interaction with Congress, an admirable record which did a great deal to stimulate interest and engagement between the United States and the country of Georgia.

Many of us on Capitol Hill have come to know and respect Georgia and its people. Georgia's future will be written by young leaders such as Batu Kutelia. I cannot help but believe that the country's future will be bright if it continues to produce leaders of his caliber. I wish him the best at his coming service in Tbilisi.

DON'T ASK, DON'T TELL

Mr. FEINGOLD. Mr. President, the repeal of the discriminatory don't ask, don't tell law will mean a stronger and more secure America. Discrimination has no place in American society, especially when it undermines our national security by hampering military readiness. While the repeal of this law is long overdue, ending this harmful policy does mark an important moment in the fight for equal rights for all Americans. I applaud all those who worked to overturn this policy, the many Americans who advocated for its repeal, and the patriotic men and women who will now be able to openly serve their country.

ALASKA CONSERVATION PARITY ACT

Mr. BEGICH. Mr. President, I want to take this opportunity to discuss an issue of importance to Alaska Native communities. The legislation currently under consideration would extend through 2011 the enhanced tax incentive for donations of qualified conservation easements. Unfortunately, Alaskan Native communities are ineligible under this provision and, as a result, do not have access to the tools they need to permanently protect historical or critical habitat.

For thousands of years, Alaska has been home to Native communities, whose rich heritages, languages, and traditions have thrived in the region's unique landscape. These communities continue to engage in a traditional subsistence lifestyle and harvest their food from the land. Nearly 70 percent of Native communities' food comes from the land and, for many communities, subsistence is an economic necessity considering the cost and difficulty involved in purchasing food.

I, along with my colleague, Ms. MURKOWSKI, have proposed legislation, S. 1673, which would provide parity. Our

proposal is imperative to the long-term survival of Alaska-Native communities and Alaska's nature resources, which makes this critical legislation timely. Development pressures are increasingly significantly in many parts of Alaska. This legislation will allow private land owned by Alaska Native communities to be protected, while facilitating development that will spur needed economic activity and job growth.

We have worked with the Senate Finance Committee over the past 2 years to ensure that this provision is ready for enactment. It is widely supported by the conservation community. I was hopeful it would be included in the end-of-the-year tax package the Senate is currently considering. Since the Senate was unable to address Alaska Native conservation parity before the end of the 111th Congress, I would be interested in learning, from the chairman of the Finance Committee, what his plans are for advancing the proposal in the 112th Congress.

Mr. BAUCUS. I am happy to respond to Mr. BEGICH from Alaska. I support the conservation easement deduction and sympathize with the Senator's efforts. I will work with Mr. BEGICH and Ms. MURKOWSKI to address conservation issues in the new Congress.

Mr. BEGICH. I thank you, Mr. BAUCUS. I appreciate the Senator's support on this issue, and look forward to working with him and my other Senate colleagues to pass this much needed piece of legislation as soon as an opportunity presents itself in the new Congress.

MAIL ORDER PHARMACY RATINGS

Mr. AKAKA. Mr. President, I commend the Department of Veterans Affairs on a very impressive recent achievement. The Department's mail-order pharmacy program was recently rated as top in the Nation among mail-order pharmacies by J.D. Power and Associates in their 2010 U.S. National Pharmacy Study.

VA received a score of 888 points out of a maximum possible score of 1,000. The Department did not receive an award for this achievement because their pharmacy service is only open to veterans and their families, but they did outscore the award recipient by a full 34 points, and the mail-order pharmacy average by 70 points. VA's program received the highest scores in the J.D. Power categories of overall experience, prescription ordering, prescription delivery, and cost competitiveness.

This is an extraordinary achievement, not only to be rated first in the Nation, but to so highly exceed the private sector. I congratulate VA, and especially commend Secretary Shinseki and Mr. Michael Valentino, Chief Consultant, Pharmacy Benefits Management Services, for their exceptional leadership success in implementing the mail-order pharmacy program.

AFGHANISTAN

Mr. DORGAN. Mr. President, as Congress begins next year to consider a range of policy choices in both domestic and foreign policy areas, I hope that at long last, we will decide that the war in Afghanistan must end.

That war has lasted 9 years and we are now engaged in nation building in a country with a government that I believe is both incompetent and corrupt.

We began the actions in Afghanistan to capture or kill the terrorist groups that had launched the 9/11 attack on our country.

Now, many years later, we are bogged down in a war in Afghanistan where our intelligence officials tell us there is only a minimal presence of the terrorist group al-Qaida. Some estimates put the number of al-Qaida operatives in Afghanistan at fewer than one hundred.

We are now engaged in fighting the Taliban in Afghanistan and, frankly, there are a number of foreign armies that have tried and failed in Afghanistan over many centuries.

I don't believe there is any chance of our ever controlling the tribal regions of Afghanistan.

Furthermore, we ought to be fighting terrorism where terrorists, are rather than where terrorists were. We know that al-Qaida has reconstituted training camps in Northern Pakistan, and we suspect that is where their leadership is. We know al-Qaida is in Somalia and Yemen and other places. But, we are bogged down fighting the Taliban in Afghanistan. And frankly, that is not where the terrorists are.

It is time for our country to understand that this is an effort that will continue to drain our treasury and will result in the deaths of more American troops, but will not result in our controlling the territory of Afghanistan. We will be stuck for a long period of time with a permanent military presence at great cost and we will be paying for Afghanistan's defense even while failing to control the tribal regions of Afghanistan.

Recognition of those facts ought to persuade us to begin withdrawing from Afghanistan as soon as possible and begin pursuing terrorists where terrorists are now, not where they were then.

 TRIBUTE TO GARY DIONNE

Mrs. FEINSTEIN. Mr. President, next month marks the retirement of Mr. Gary Dionne after 34 years in government service. Throughout this time, Gary has been both the consummate professional and a friendly presence in the halls here on Capitol Hill.

Mr. Dionne currently is the deputy director of the Office of Legislative Affairs for the Office of the Director of National Intelligence, and will be retiring from Federal service after fulfilling a career of dedicated support to the U.S. intelligence community and the National Security mission. A senior in-

telligence officer, Mr. Dionne has had a varied and distinguished career, having worked in different positions and capacities for the Department of Navy, the Central Intelligence Agency, and the Office of the Director of National Intelligence. For most of that time, Gary worked in the intelligence field where efforts and successes are not always rewarded publicly. I am glad we can do so here today.

Mr. Dionne, the son of Roland and Eva Dionne, a draftsman and consumer sales representative respectively, was raised in the small suburban town of Leominster, MA, a town known best as a hub for plastic factories but gained world-renowned fame as the originator of the plastic pink flamingo!

Following graduation from Leominster High School in 1975, Mr. Dionne enlisted in the U.S. Navy as a cryptologic technician radioman. Trained in Morse code and high frequency direction Finding, Petty Officer Dionne supported U.S. Naval Intelligence while stationed in Augsburg, Germany, followed by a fleet assignment to the Command for Middle East Forces. As a member of the admiral's staff, Mr. Dionne provided intelligence support aboard the U.S.S. La Salle, U.S.S. Vreeland, U.S.S. Elmer Montgomery, U.S.S. Blandy, and the U.S.S. Aylwin.

Completing an enlistment with the U.S. Navy, Mr. Dionne subsequently joined the Central Intelligence Agency in 1981. Following training as a communications officer within the Office of Communications, Mr. Dionne supported intelligence activities in Central America and on back-to-back assignments to West Africa where he was promoted to Officer in Charge of the Telecommunications Unit. In this position he was responsible for the daily supervision of personnel and technical resources to maintain a multimillion-dollar communications facility.

After returning to CIA Headquarters, Mr. Dionne was assigned as deputy chief, headquarters operations branch, where he was responsible for VIP communications in domestic and foreign activities. This included communications support for the Director of Central Intelligence as well as support for Presidential and Cabinet members travel. Building on his technical background, he attended classes at George Mason University working toward a bachelor's degree in network management.

In 1994, Mr. Dionne assumed the responsibility of associate director, of the Agency Network Management Center where he had oversight responsibility for the daily health and welfare of the domestic telecommunications network. Mr. Dionne was then selected as chief of the resource management staff, operations group, where he managed the tactical and strategic direction for a multimillion-dollar telecommunications operational budget. This was an extremely rewarding assignment for Mr. Dionne where his ef-

forts directly supported for the agency's world-wide activities.

Mr. Dionne was selected to participate as a congressional fellow through the Government Affairs Institute at Georgetown University where he acquired a certificate in legislative studies. Mr. Dionne accepted a position on the U.S. House of Representatives Committee on Energy and Commerce staff and provided technical support to the Subcommittee on Communications, Technology and the Internet, as well as to the Subcommittee on Oversight and Investigations. Mr. Dionne viewed his experience in Congress as an awe-inspiring, humbling experience where he witnessed truly remarkable people working the most difficult challenges on behalf of America.

In 2002, following his fellowship in Congress, Mr. Dionne returned to the CIA in the Office of Congressional Affairs where as a liaison officer, he managed congressional activities for the community management account and the directorate of operations. Following the tragedy of September 11, 2001, Mr. Dionne was identified as the responsible congressional liaison officer for all intelligence community engagements with the Congressional Joint Intelligence Committee as Congress conducted their review of the intelligence failures leading up to September 11. From there Mr. Dionne served as the congressional liaison to the National Counter Terrorism Center and to its predecessor, the Terrorist Threat Integration Center. In 2007, Mr. Dionne was selected in to his current assignment as the deputy director of the Office of Legislative Affairs, for the Office of the Director of National Intelligence.

Throughout his career and travels around the world, Mr. Dionne is most grateful to have had the loving support of his wife Catherine who grew up in the same little factory town and whom he has known since they were in middle school together. He is so proud of his two daughters, Danielle, for serving as a 1st grade school teacher in Loudoun County, VA, and his daughter Antonia, for her ability to master Mandarin and who is presently working at the U.S.-China Policy Foundation in Washington, DC.

Mr. Dionne, thank you for your service to our country and good luck in all your future endeavors.

 YOUTH DRUG USE

Mr. GRASSLEY. Mr. President, it is with great sadness and concern that I report that more and more kids are turning to drugs. Recently released annual studies that track drug use trends among youth and adults are indicating rapid increases in drug use among all age groups. The most recent National Survey on Drug Use and Health indicates drug use among people aged 12 and older increased by 9 percent since 2008. According to this survey, over 7 million people in the past year are estimated to have used drugs. Among these