Jeff Doran of Carroll County. I spoke to Randy Prasse, too, who leads the Tri County Economic Development Alliance. His group is part of the local leadership working to assess damage and restore business.

Across the north and northwestern part of Illinois, people have lost homes and businesses, many more were forced to evacuate, and hundreds of thousands lost power and safe drinking water.

The Chicago area was hit particularly hard by the Friday night rains which dumped 4½ inches of rain on Chicago and up to 7 inches on the nearby towns of Westchester and Cicero. The rains flooded 43 viaducts and quickly filled all 190 miles of the Deep Tunnel system.

I would just like to say to my friends who talk about the access of our river and canal system to Lake Michigan that if we could not send that storm water out into Lake Michigan, the flooding would be dramatically worse. We have a deep tunnel that gathers as much water as we can in these rains, but it is not enough. It was overwhelmed this last weekend. So those who have a concern about the Asian carp, as I do, need to also be as concerned about the environmental impact of decisions that might be made. We are trying to put this in the context of economic reality, flood reality, and certainly the reality that none of us want to see this invasive species in Lake Michigan. But it is a complex interconnected system, and we have to look at the entire system, not some quick press release that might suggest an easy answer that may not really solve the problem but may create more.

One apartment building along the Chicago River was evacuated before 12 feet of water rolled in—12 feet—flooding the basement and cutting off electricity to a 17-story building.

The Sun came out on Sunday and, true to form, Illinoisans began digging out and cleaning up. The damage from these floods led Governor Pat Quinn to declare a State disaster in 12 counties—Carroll, Cook, DuPage, Henders, Joe Daviess, Lee, Mercer, Ogle, Rock Island, Stephenson, Whiteside, and Winnebago. As the water begins to recede, the recovery and damage assessment has just begun. Communities such as Savannah, Westchester, Cicero, Melrose Park, and others suffered substantial damage. But anyone who suffered damage during this flood faces a long difficult process to recover. Some homes will need to be rebuilt in some parts of our State, mold and waste removed, possessions replaced or repaired, highways, bridges and other necessary infrastructure restored, and businesses reopened.

Already cash-strapped, many of the affected communities are struggling to figure out how they will manage the cleanup, repair the roads, restore the bridges, and help the residents recover. I spoke last night with John Blum, the County Board Chair for Stephenson County, Congressman MANZULLO, and other leaders in the region. We also talked to Marvin Shultz, Joe Daviess County board chair, and Rodney Fritz, the Carroll County board chair. They are hurting, but they are determined. They are working around the cloak to restore services and get their communities back to work.

As the State and Governor continue to assess damages and options for recovery assistance, I am standing ready, I am sure, with my colleague, Senator BURRIS, to help Illinois residents impacted by this flood. I look forward to working with the Governor to explore any Federal assistance for which the State and communities may be eligible.

Mr. President, I might say, we were recently asked by the States of Tennessee and Rhode Island to deal with their horrible flooding conditions, and we did, no questions asked. In this body, we stand as a family for our Nation. If one part of our Nation is struggling with a disaster, we stand together to help. No questions asked about Democrats and Republicans, no questions asked about are we going to raise a tax to do it. Let's help these people in trouble right now. I hope once the assessment is made we don't have to come here and ask for that assistance for Illinois. But if we do, I will do it with the knowledge that I have stood with other communities and other States when they have faced similar circumstances, and this Senate and this government have responded when needed.

REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask unanimous consent that the following letter be printed in the RECORD.

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

U.S. SENATE,
SENATOR TOM COBURN, MD,
Washington, DC, July 27, 2010.

Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding S. 714, National Criminal Justice Commission Act of 2010.

I support the goals of this legislation and believe that our criminal justice systems should be effectively and efficiently managed. However, I believe that we can and must do so in a fiscally responsible manner that upholds the Constitution. My concerns are included in, but not limited to, those outlined in this letter.

First, this bill costs the American people $14 million. While an amendment proposed by the bill's sponsor does have offset language, it is insufficient. It does not specifically rescind a certain program or dollar amount from the Justice Department's budget. Rather, it directs the Attorney General to propose an offset in the amount of $14 million. This will neither guarantee a truly wasteful or fraudulent DOJ program will be eliminated, nor even guarantee an offset will be enacted into law, as the bill does not require Congress to act on the Attorney General's proposed offset.

Moreover, it is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now more than $13 trillion. That means over $42,000 in debt for each man, woman and child in the United States. A year ago, the national debt was $11.2 trillion. Despite pledges to control spending, Washington adds $4.6 billion to the national debt every single day—that is $3.2 million every single minute.

Second, I believe this legislation gives the federal government too much control over the practices of state and local criminal justice systems. This commission is tasked with a very broad and comprehensive review of federal, tribal, state and local criminal justice systems' costs, practices and policies. While I support and affirmatively recommend individual states' investigation and analysis of their own criminal justice systems, doing so is not the responsibility of the federal government. Our Constitution establishes distinct responsibilities for the federal government, and we should use federal funds wisely to prioritize and support those enumerated powers. By allocating $14 million in federal funds under this legislation, we do a disservice to our own federal criminal justice system.

For example, the purposes of this commission are broad enough to include an analysis of juvenile incarceration policies. The Congressional Research Service (CRS) notes, ''administering justice to juvenile offenders has largely been the domain of the states . . . there is no federal juvenile justice system.'' CRS continues, ''states and localities have the primary responsibility for prevention and control of domestic crime.'' This is just one example of how the breadth of commission's duties not only fails the test of federalism, but also fails the federal criminal justice system. By focusing on issues that are clearly the responsibility of the states, this bill gives short shrift to needs of the federal criminal justice system.

States are already free to share with each other the positive and negative features of their individual criminal justice systems. States do not need a federal commission in order to communicate their ideas to one another. Furthermore, the budgetary decision by a state to spend certain state revenues on state corrections, for example, versus other state budget line items is the business of each individual state, not the federal government. Each state has different needs and priorities based on its own unique population for which it must account in its budget allocations. Congress should focus on improving its oversight of the federal criminal justice system under its jurisdiction so it can be an example to the states of best practices, rather than spending money on a commission to help the states determine what is right for their communities.

Third, the scope of the report required under this legislation is entirely too broad to be completed within the 18 month timeline. If Congress is looking for specific recommendations for improvements in federal, tribal, state, and local criminal justice systems, this commission will not accomplish that goal effectively in 18 months.

In fact, the Government Accountability Office (GAO) has been asked to produce similar reports in the past. However, GAO has declined to do so because of the breadth of the report elements, such as the ones required under this bill. In addition, in GAO's experience, states do not return requests for information promptly or responsively in order to create a report that is actually helpful and valuable to Congress. In fact, the outcome of

the commission's report will be heavily based on whether states choose to cooperate in providing information.

Even if the report were narrowed to only study the federal criminal justice system, the scope of issues to be examined is still too extensive. In this bill, the term ''criminal justice system'' remains far too broad. While a report on only the federal criminal justice system could be valuable to Congress, to be effective, such a report should be narrowly targeted on specific features of the federal criminal justice system, such as law enforcement, courts, or detention facilities.

Finally, Congress already has the authority to request reports and studies of the federal and tribal criminal justice system. The Judiciary Committee and its subcommittees are also free to hold hearings on the topics outlined in this legislation. Arguably, the Judiciary Committee is abdicating to the commission part of the responsibilities it is already federally funded to perform. The commission is not necessary in order for Congress to study these issues, and it is likely duplicative of existing Judiciary Committee duties.

Our federal government has a debt of over $13 trillion. While I realize there are likely changes we should consider making to our federal criminal justice system, I do not believe this commission, with its unlimited scope and $14 million in funding, is the best way to determine which improvements may need to occur. Supporters of this legislation believe nothing in the bill requires the states to implement any of the commission's recommendations. It is true, sponsors included language stating, the ''[r]ecommendations shall not infringe on the legitimate rights of the states to determine their own criminal laws . . . .'' However, it is hard to imagine state and local governments would not feel pressure to enact whatever changes the commission recommends. Thus, in effect, not only would the federal government ultimately shape state and local criminal justice policy, but state and local governments could also easily determine they ''deserve'' federal funds to enact what the Congressionally-established commission proposes.

While there is no question there are vast improvements to be made at all levels of the criminal justice system, the federal government should focus on remedying the growing problems in the federal criminal justice system, not spending federal funds to determine what states are doing wrong and how to fix those problems. States can improve their criminal justice systems by learning from other states, as well as the federal government, if only Congress would effectively perform oversight of and insist on improvements within the federal criminal justice system to make it an example the states can emulate.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

20TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. KOHL. Mr. President, I rise to highlight the significance of the many events and announcements occurring around the country to celebrate the enactment of the 1990 Americans with Disabilities Act. This week in Wisconsin, disability advocates are holding multiple events around the State to commemorate the signing of the law on July 26, 1990, at a White House ceremony by President George H.W. Bush.

Disability advocates, employers, State and local officials, and policymakers are speaking about and reflecting on how they have worked together and joined forces during the last two decades to make major changes in housing, in transportation, and in health and social services.

There is much discussion in the news and online about the ADA as well. In an online video entitled ''We Came Together: Wisconsin Reflects on the ADA's 20th Anniversary,'' one Wisconsin disability rights advocate, Dick Pomo, observes that ''disability today is simply a fact of life—not a way of life.'' This statement is testament to the hard work of millions of Americans who have come together over the last several decades, and who have journeyed to State capitals and Washington, DC, to deliver the message that they wanted to participate fully in society. Simply put, they did not take ''no'' for an answer.

I am also reminded that in the Senate the ADA is one of the legacies of the late Senator Edward Kennedy, with whom I worked to see that this civil rights bill became the law of the land. The House of Representatives experienced a milestone this week when Representative JIM LANGEVIN of Rhode Island was able to preside over the House because the Speaker's rostrum—a raised platform—had been made wheelchair accessible. This is a wonderful and public symbol of accessibility, a core principle of the ADA.

There are many other concrete, visible gains: kneeling buses, sidewalks and driveways with curb cuts, crosswalks with traffic lights that make audible noises to signal when it is safe to walk, and elevators and ramps that have been artfully worked into the structure of new buildings and even many historic ones. For all this and much more, I salute the tirelessness and tenacity of disability advocates across the country who have joined forces to make American society far more open and accessible to all.

As chairman of the Special Committee on Aging, I know that many of these changes will also be of enormous benefit to our now rapidly aging society. Equally important are a series of changes that are now transforming the way health and social services are delivered to those with lifelong disabilities, as well as to older Americans whose disabilities are age related.

One such key program, known as Money Follows the Person, is a Medicaid demonstration initiative in which Wisconsin has participated since 2003. This program allows States to transition beneficiaries in nursing homes to community-based living situations if they wish to do so. Funds are used for various purposes—for example, for ramps, clothes, equipment and furniture. In Wisconsin, funds have been used to reduce the number of nursing facility beds and to track spending on long-term care services and supports on an individual level. The State has also applied for additional funding under the health reform law's expansion of Money Follows the Person, which is slated to provide $2.25 billion in new funding through 2016.

Another program that has been central to Wisconsin's growing success in making long-term services both more available and more focused on each person's individual needs is its Aging and Disability Resource Center initiative. State officials started ADRCs in 1998 in 8 of the State's 72 counties, and they have been gradually spreading and opening in new counties ever since. The goal is to have a statewide network of ADRCs in place by 2012, operated either by county government or nonprofit organizations. Often called the ''front door'' of long-term care, ADRCs are charged with serving all State residents by providing them with unbiased, comprehensive information about what services and options are available to them, and, where appropriate, with eligibility and enrollment information for the Medicaid Family Care managed long-term care program.

I am pleased that the Obama administration has made ADRCs—which were pioneered in Wisconsin—an important part of their efforts to make long-term services and supports a much more well-defined and well-understood part of our health care system. This is consistent with the intent and language of the ADA, and also with the Supreme Court's Olmstead v. L.C. decision of a decade ago, asserting that involuntary institutionalization of people with disabilities was discriminatory under the ADA. I commend U.S. Secretary of Health and Human Services Kathleen Sebelius for her efforts to engage States in the complex and critical tasks of improving the availability of community-based long-term services and supports, while simultaneously improving the quality and accountability of services that are provided in nursing homes.

One of my constituents recently shared with me a story that demonstrates both how important the ADA has been to people with disabilities, and also how far we still have to work toward a more inclusive and accessible society. Steve Verriden has been a quadriplegic for 35 years, the result of a dive into a lake when he was just 23 years old. Following his life-changing accident, he spent years in a nursing home before he was able to use a community integration waiver to transition to home-based assistance. With his new independence, Steve was also able to go back to school to complete a degree in journalism.

Steve has experienced how the ADA has changed the lives of people with disabilities, literally opening doors that were before inaccessible to people in wheelchairs and with severe disabilities. As Steve transitioned out of facility living and returned to school before the ADA was passed, he knows what it was like to have to wait in the cold for someone to open a door for