



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, THURSDAY, OCTOBER 22, 2009

No. 154

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, as we look at our history, we marvel at Your mercies. You have blessed our Nation with Your presence, repeatedly opening doors for new opportunities. You have delivered us from perils, setbacks, and dangers. Great is Your faithfulness.

Guide our lawmakers according to Your will. Give them humble hearts, emptied of presumptuous pride and motivated by a desire to please You. Make their spirits quarries out of which stones for new citadels of freedom and excellence may be fashioned. Reveal to them the means You would have them use to establish justice and peace. Lord, make this Nation the hope of all who suffer and the dread of all who would enslave the human spirit.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 22, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for 1 hour. Senators will be permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes, and the Republicans will control the final 30 minutes.

Following morning business, the Senate will resume consideration of the conference report to accompany H.R. 2647, the Department of Defense authorization bill. There will then be an hour for debate equally divided and controlled between Senators LEVIN and MCCAIN, the chairman and ranking member of that committee. Around 11:45 a.m., give or take a few minutes, the Senate will vote on the motion to invoke cloture on the conference report.

Last night, I filed cloture on the motion to proceed to H.R. 3548, the Unemployment Compensation Extension Act. That is so important to millions of people in America today. We have a lot of people out of work, and their unemployment benefits have run out. I hope we do not have to have a cloture

vote in the morning. I would think it would be to everyone's interest to move forward on this legislation. I would like to do it, just get rid of the bill, finish that.

I have had conversations with my Republican colleagues, and they want some amendments. We have been pretty good this year being very open in the amendment process. There have been a couple snags once in a while that we ran into but not often. I see no reason why we cannot have a reasonable number of amendments on each side and complete the legislation today. If we do not, we are going to have to have that cloture vote tomorrow. If we have a cloture vote tomorrow, we likely will have a vote on other matters which I have the right to bring forward without notice—at least another matter. I hope that is not necessary. I know staff has been working to come up with a finite list of amendments. I hope that can be done very quickly.

People have the right to know what the schedule is, and I have done my best to outline what the schedule is going to be in the next 24 hours. I hope we can move toward some finality in that regard.

HEALTH CARE REFORM

Mr. REID. Mr. President, I also remind everyone that we are in the process of coming up with a bill we will send from the Senate to the Congressional Budget Office. It is so important that we move forward on this legislation. Health care is vitally important to this country.

Every Thursday when we are in session, Senator ENSIGN and I have a Welcome to Washington Breakfast, and it is very good. We have been doing this for 9 years. Today we had the Principal of the Year, from Frank Lamping Elementary School, grades 1 through 5. Principal of the Year—that is really significant. We have well more than

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S10655

400,000 students in Nevada, and to think they selected that man as the Principal of the Year is quite an honor. The principal is Michael O'Dowd. We had a longtime retired judge with whom I practiced law in the same community for a number of years, Gerry Hardcastle.

But the reason I mention this, there was a man there who introduced me to his son—a good-looking young man. His father was there to tell me about a new treatment they have developed for congenital clubfoot. In years past, the only way to handle that situation was with surgery. Now they have a new method. He had his boy there. His boy plays basketball. His boy can do anything he wants. And they have done this with no surgery. They now have new treatment for this. It is not surgical. In other countries, people spend the rest of their lives with their feet upside down unless there is surgery, and it is so difficult to do. So that is why health care is important.

This is one minor example of how we are advancing in health care, and we have to make sure health care is affordable to the American people. Our health care costs are more than 2½ times that of Japan. Yet the health care is not as good here as in Japan.

I look forward to sending that bill on to the Congressional Budget Office. I had spoken to the Republican leader yesterday. We are going to make sure Senators have plenty of opportunity to look at this bill once we get it back. We are concerned about quality, not quantity—well, we are interested in quality, not how fast we can move this. We want to move it as quickly as we can, as expeditiously as we can, but we want to do it as well as we can. So I look forward to working with the Republican leader to have a good debate on this matter and have health care for all Americans.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. REID. Mr. President, I suggest the absence of a quorum and ask unanimous consent that our time for morning business not start until the quorum is called off.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. 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.

HEALTH CARE REFORM

Mr. BROWN. Mr. President, I appreciate sharing the floor with the senior Senator from Minnesota, Ms. KLOBUCHAR.

I come to the floor regularly and share letters from voters and constituents and citizens around my State, around Ohio, people from Kent and Warren and Mansfield and Zanesville and Chillicothe. We all get these letters. I know the Acting President pro tempore gets them from Arkansas and Senator KLOBUCHAR gets them from Minnesota—letters from people who generally, 2 years ago, a year ago, if you asked them, they would have said they were satisfied with their insurance, but then something happened: They had a child born with an illness and the insurance company cut them off because the child had a preexisting condition or someone got very sick, they thought they had good insurance, but the insurance company canceled them because the cost was so high for their illness. A lot of these letters also come from people who lost their job. They are 59, 60, 61 years old, and they pray to God they will be able to get through the next 3, 4, 5 years until they are Medicare eligible so they will have a strong government health care plan—Medicare—to insure them the rest of their lives, so they can get the kind of health care they, as American citizens, should be entitled to.

So let me share three or four letters, and then I will turn the floor over to Senator KLOBUCHAR.

Allison from Hamilton County, in southwest Ohio, the Cincinnati area, writes:

In June, I was taken to the hospital for suspected Ruptured appendix. I was admitted and stayed for 24 hours. Currently, my hospital expenses are at \$9000. Each day it seems like another bill comes to my home.

Last year, I had a part time job while going to school full-time and earned \$7000. I completed my coursework and began looking for full time work last month in this tough economy.

I believe that the health care program being discussed will help families like mine.

Allison is exactly right. Think about this. This woman was in college. She was working. She is doing everything we ask in this country. She was in college full time. She was working a part-time job. She was working hard. She lost her insurance. She does not have insurance because of her age. So what is going to happen to her? She is going to face a workplace that is not very embracing right now, with not a lot of opportunity, and have these kinds of costs already piling up—possibly student loans also.

What our bill will do is simply say that anybody can stay in their parent's

health plan up to the age of 26. That will make a difference for people such as Allison.

Greg from Shelby County, in western Ohio, the Sidney area of the State, writes:

Please keep up the fight for healthcare reform. We have a 23-year-old daughter who just graduated from college and has been consistently denied health insurance because of a pre-existing condition.

Her condition only requires maintenance medication but she is evidently considered "too much of a risk" to insure.

We know that if opponents of health reform had a loved one being denied health insurance they [might] not be so against it.

Please, please keep fighting and make sure to adopt legislation to get coverage for all Americans.

Greg and his daughter are victims again of a system that is malfunctioning. Too many times, in too many cases, people who thought they had decent insurance—their daughter is 23. She cannot stay on her parent's plan because of that. Our bill will allow her to. Our bill will give his daughter the opportunity to go into the insurance exchange—to pick Aetna or Blue Cross or WellPoint or another insurance company or pick a public option—a public option—that will keep the insurance companies honest, that will compete with the insurance companies and help bring costs down.

There are two more letters. I have a letter from Stephanie from Cincinnati. I will tell her story quickly.

Stephanie traveled all the way from Ohio, along with six other families from around the country, to talk about their health care stories. They are speaking for millions of Americans who can't obtain health insurance or who have coverage but still can't get needed medical services. Stephanie's parents were in an accident that cost her mother her life and left her father in intensive care for 5 weeks. Stephanie had to battle insurance companies constantly to get her father vital treatments for his injuries so he could walk again.

Stephanie's message is simple. She said: I and every other American are not simply claims to be denied.

Think about that. Your mother is killed in a car accident. Your father is in intensive care. What are you doing? You are fighting with insurance companies to cover your father's medical care. What kind of system does that?

Insurance companies don't want to insure you when you are sick. If you are going to be too expensive, they find reasons to deny you care: preexisting condition, discrimination based on disability or gender or age or geography. They don't want to cover you if you are sick, but if you get insurance, then they work to try to deny your claim.

Thirty percent of claims in this country are denied in the first round—30 percent. Some of them get undenied. Some of them get accepted and paid. But the sick person or the sick person's family has to get on the phone day after day and fight with the insurance