



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, MONDAY, NOVEMBER 2, 2009

No. 161

## Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK WARNER, a Senator from the Commonwealth of Virginia.

### PRAYER

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

Let us pray.

Our God, we are thankful that You have not only known us but You have made Yourself known to us. It is amazing that You know us and still love us.

May our lawmakers come to You with the confidence borne of the knowledge that comes from being loved by You. As they seek to be Your ambassadors to our Nation and world, help them to acknowledge that without You they can accomplish nothing that will endure. May they remember to use our liberties and privileges, bought with so crimson a cost, to promote the common good of humanity.

Lord, we end this prayer by asking You to bless our military men and women in harm's way and their loved ones.

We pray this prayer in Your powerful Name. Amen.

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 2, 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 WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

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

### RECOGNITION OF THE MAJORITY LEADER

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

### HEALTH CARE REFORM

Mr. REID. Mr. President, our job as legislators is to write and pass a bill that will make it easier for every American family to afford to live a healthy life. Democratic Members have worked tirelessly over the past weeks, months, and even years to fulfill this tremendous responsibility. We have listened to the vast majority of Americans who demand that we stop health insurance companies from taking advantage of each of us. We have listened to the vast majority of Americans who know that a public option for health insurance is the best way to keep competition up, keep costs down, and keep insurance companies honest. We continue to listen to Senators as diverse ideologically as they are diverse geographically as we craft a final bill.

Today, we are closer than ever before to making sure every American can access quality, affordable health care—and making sure they have the choice of whether they get that care through their private insurer or a public one.

We are closer than ever, but we are not there quite yet. As we head for the finish line, one of the most important parts of this process is transparency.

That is exactly why the two Senate committees that drafted the foundations of this bill—the HELP and Finance Committees—conducted lengthy public meetings. At these meetings, the American people could see that the committees considered and approved numerous amendments and proposals by both Democrats and Republicans. For example, you could go on the HELP Committee's Web site and watch them adopt 160 Republican amendments into this bill. It is in the name of transparency that the committees' legislation has been fully available on the Internet for many weeks now. The HELP Committee's bill has been on its Web site since June 9, and the Finance Committee's bill has been on its Web site since September 16.

It is important to understand where we are in this process. Right now, we are merging those two bills into one bill. That work is ongoing, and many different options are being weighed. The CBO is analyzing those options, and based on their analysis we will decide what to put into a bill. Those who demand to see the bill this minute forget that a final bill doesn't yet exist. If it did, we would bring it to the floor. All should remember that as soon as the CBO results are in and as soon as important decisions are made based on those results, we have pledged to make the final bill available to the full Senate and the American people. The final bill will be public as soon as it is written. I will repeat that so there is no confusion. The final bill will be made public as soon as it is written.

Only one final decision has been made so far. We are going to give people the power of deciding whether they want to get their health insurance from somewhere other than the reckless private companies that are responsible for the mess we are in, and we are going to give the States the power of deciding whether that choice is best for its citizens.

So that is where we stand. It is important to get these facts on the

### PLEDGE OF ALLEGIANCE

The Honorable MARK WARNER 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:

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



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record, as misinformation, half-truths, and distractions fill the airwaves.

Let's be honest. These facts don't matter much to those who are dead set on opposing health insurance reform for partisan reasons. They don't matter to the Republican Senator who said he hopes the effort to fix our broken health care system will be President Obama's "Waterloo." They don't matter to the Republican Senator who said Republicans will oppose the bill regardless of any concessions Democrats make. They don't matter to the Republican Senator who said, "I don't have to read it, or know what's in it. I am going to oppose it anyways." Their strategy is to deny the undeniable fact that families' personal health and pocketbooks are suffering. Their strategy is to defend the indefensible practices of insurance companies that make huge profits on the backs of our seniors and our sick. Their strategy is to ignore polls that clearly and consistently show the American people support a public option and instead argue, without evidence, that they don't.

Republicans make no effort to hide their shortsighted and self-destructive strategy. In fact, Roll Call newspaper today reports that they "have mapped out a strategy to draw out debate" rather than work with us to strengthen the bill. Politico reported last week that Republican consultant Frank Luntz is out with a new memo urging Republicans to fake bipartisanship. You will recall that, back in May, Luntz encouraged Republicans to oppose a health care reform bill before there was a single hearing held to determine what should be in the bill and long before a single bill was even written. Now Luntz says Republicans have more to gain by faking bipartisanship and from complaining about the health care bill than working to improve it. All of us—every single American—stand to lose if that happens. I know Senate Republicans appreciate transparency because their strategy is as transparent as it comes. That strategy is simply to delay, delay, delay. And now the newspaper Roll Call acknowledges that.

At the same time, I couldn't help but notice that while Senate Republicans demand transparency, their own plan is being drafted, obviously, in secret—if, in fact, there is one. We don't know how much their bill will cost—the Republican bill—if there is one. We don't know whom it will help, if anybody, or how it will keep insurance companies from abusing Americans. They won't tell us how their plan will lower your health care bills so you don't have to choose between medication and your mortgage. So I can only conclude one of two things: Either the Senate Republicans are drafting a bill in secret or their proposal simply doesn't exist and the Republicans have no solutions to one of the greatest and most urgent challenges of our time—health insurance reform. Whichever it is should concern the American people greatly.

I will acknowledge there is one thing that won't be in their bill secretly or in a transparent fashion, and that is to repeal the McCarran-Ferguson Act that exempts insurance companies from antitrust laws. The insurance companies love that because they can take advantage of the American people, as they have since 1945, since that act became law.

It is increasingly clear to the American people who is trying to help them. It is clear who is reaching across the aisle and negotiating in good faith and compromising where necessary.

Mr. President, we want to work with the Republicans, but how can you work with a party that says that they hope President Obama fails and that this is his Waterloo? It doesn't matter what is in the bill, they will oppose it. Again, today, we heard from Roll Call that their only strategy is to delay. I hope that will change and they will work with us to come up with some ideas on how they can improve health insurance. Let's get the bill on the floor and start debating it.

#### SCHEDULE

Mr. REID. Mr. President, today, following the remarks of the two leaders, there will be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each. At 4 p.m., the Senate will resume consideration of the Unemployment Benefits Extension Act, with the time until 5 p.m. equally divided and controlled between the two leaders or their designees. At 5 p.m., the Senate will proceed to a cloture vote on the Reid-Baukus substitute amendment.

German Chancellor Angela Merkel will address a joint meeting of Congress tomorrow at 10:30 a.m. Senators should begin to gather in the Chamber at 10 o'clock tomorrow morning so they can leave at 10:10 a.m. to proceed to the House of Representatives.

#### RECOGNITION OF THE MINORITY LEADER

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

#### HEALTH CARE WEEK XVI DAY I

Mr. MCCONNELL. Mr. President, for months, the American people have been sending us a clear message about what they want to see in health care reform. They want practical, common-sense reforms that drive down the cost of care, improve access, and create more choices. What they are getting instead from Congress are higher premiums, higher taxes, Medicare cuts, and more government control over their health care decisions.

They are getting the same old big-government solutions to problems that call for creative, modern-day solutions.

Quite simply, there seems to be a disconnect between the American people

and Democrat leaders in Congress. And nowhere is that disconnect more apparent than in the 2,000-page bureaucratic monstrosity of a bill that House Democrats dropped on the American people last week.

At its core, this bill is very similar to what we have already seen in the Senate—a trillion-dollar government experiment that raises taxes, raises premiums, slashes Medicare, and leads to unprecedented government control over the health care decisions of Americans. That is the foundation, the starting-off point. It doesn't get any better from there.

Let's start with the pricetag. At a time of unprecedented government spending and a staggering \$12 trillion debt, the Democrat health care bill asks taxpayers to pony up at least another trillion dollars. To get some sense of the size of that figure, consider the fact that this bill would cost more than \$2 million per word. And believe it or not, that is a conservative estimate.

Once fully implemented, the bill will spend \$2.3 trillion. And this doesn't even account for the \$250 billion that is needed to prevent a cut in reimbursements to doctors who treat Medicare patients. While this so-called "Doc Fix" is no longer in the bill, we saw last month how Democrats in both the House and Senate plan to pay for it. They want to put this \$250 billion on the government credit card and then claim their plans don't add to the deficit.

Well, Americans aren't buying it.

The bill would also hit already-struggling States by imposing a crippling, 10-year, \$34 billion expansion of Medicaid. And it fails to meet the key test that Americans had set for reform, which was to control costs. Indeed, contrary to early promises by the administration about the need to control costs, this bill would actually increase long-term Federal health care spending.

The health care choices that Americans currently enjoy would also be limited under this bill, and the government's role would increase dramatically. If you don't want to buy insurance, too bad: under this bill, the government forces you either to buy insurance or pay a new 2.5-percent tax. Under this bill, the government would also tell you what kind of insurance you can have by dictating the benefits you receive. If a politician in Washington doesn't approve of your current health care plan, you may be forced to give it up. Ironically, the person who would dictate your benefits would go by the title of the Health Choices Commissioner only in Washington, Mr. President.

Notably, this bill no longer includes language from earlier draft legislation stating that essential benefits coverage should not lead to the rationing of health care. Language preventing rationing is out. We can only conclude from the exclusion of this language that the bill writers have opened the