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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 1, 2009, at 2 p.m.

Senate

SATURDAY, NOVEMBER 21, 2009

The Senate met at 9:45 a.m. and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

O Shepherd who neither slumbers nor sleeps, as we labor this weekend, we desire You to be near to guide us with Your wisdom and love. Use our law-makers as instruments of Your providence, leading them beside still waters, restoring their energy and bringing them to Your desired destination. Give them the stature to see, above the walls of prideful opinions, the path to the greatest good. Lord, sustain them with Your strength, preserve them with Your grace, instruct them with Your wisdom, and protect them with Your power. As an intentional act of will, may they commit to You everything they think, say, and do today. We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 21, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

THANKING SENATOR LEAHY

Mr. REID. Mr. President, on this Saturday, the Senate, in one of its unusual sessions, it is very good to see one of the more senior Members of the Senate presiding over the Senate. A lot of presiding is left to the more junior Members. It is indicative of the teamwork of the Senator from Vermont, one of the most senior Members of the Senate, chairman of the Judiciary Committee, and someone who is always there when there is a need for something to be done, as it is today to open the Senate.

I have such fond memories of my friend from Vermont. I can remember

the first time we met. We were in Florida. I was running for the Senate. It was 1986 and the Senator from Vermont was running for reelection, even then a senior Member of the Senate.

Even though the two of us are almost twins as far as our age goes, the Senator from Vermont has a significant amount of seniority, although he never uses that in any way other than to work for the betterment of the people of Vermont—and I say that seriously. We had a conversation in the cloakroom today, and we were not talking about ball games last night, we were talking about problems of the people of Vermont, things the distinguished president today indicated he thought could help a little for the State of Vermont. I am very grateful the Senator is here today.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the motion to proceed to H.R. 3590. Under a previous agreement, the debate will continue with alternating hours from 10 a.m. to 6 p.m., with the majority controlling the first hour. The time from 6 to 6:30 in the evening will be under the control of the majority; 6:30 until 7:15 p.m. will be under the control of the Republican side; from 7:15 to 7:30 the majority will control that time; the time from 7:30 to 8 will be for the two leaders, with Senator MCCONNELL controlling the first 15 minutes. At 8 p.m. tonight, the Senate will proceed to a rollover vote on the

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



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motion to invoke cloture on the motion to proceed to the health care legislation.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The distinguished Republican leader is recognized.

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, as we move toward tonight's all-important vote, we will have 10 more hours of discussion of this 2,074-page bill, which represents the top part of this stack. The other 2,000-page bill is the House-passed bill. Senators will have an opportunity to express themselves on the merits of this proposal.

What do we know for sure as we move toward this debate? We know Americans oppose this bill. They are not buying the claim that this legislation would do anything whatsoever to lower our staggering deficits.

In tomorrow's Washington Post, David Broder, their distinguished senior columnist, certainly not a political conservative, expresses his reservations as a citizen about the steps we could be about to take. Broder says, in part, in his column:

The day after the Congressional Budget Office (CBO) gave its qualified blessing to the version of health care reform produced by Senate Majority Leader Harry Reid, a Quinnipiac University poll of a national cross section of voters reported its latest results.

The reason Broder picks Quinnipiac, he said, is he is familiar with the pollsters and the process, knows they are thoroughly nonpartisan and credible. Of course, the Quinnipiac Poll is echoed by every other poll we have seen, no matter who has taken it. We know the American people are opposed to this 2,074-page proposal.

Broder points out that in the Quinnipiac survey, less than one-fifth of voters, 19 percent—a near 19 percent of the sample—support this bill.

Nine of 10 Republicans and eight of 10 independents said that whatever passes will add to the torrent [a literal torrent] of red ink. By a margin of four to three—

This is extremely significant—

By a margin of four to three, even Democrats agree this is likely [that this will produce a torrent of red ink].

That fear contributed directly to the fact that, by a 16-point margin, the majority in this poll said they oppose this legislation moving through Congress.

It is not just the American people who are saying that, the experts are saying it as well. Broder points out that every expert—this is Broder:

[E]very expert I have talked to says that the public has it right.

In other words, the experts agree with the public opinion polls that this 2,074-page bill is a budget buster. He quotes the executive director of the Concord Coalition, a bipartisan group. He says—this expert says:

... there's not much reform in this bill. As of now, it's basically a big entitlement expansion, plus tax increases.

He also decries the gimmickry involved in putting this bill together. Broder points out the majority leader's:

... decision to postpone the start of the subsidies to help the uninsured buy policies from mid-2013 to January 2014—long after taxes and fees levied by the bill would have begun.

That is the only way they can make the CBO declare it budget neutral, deficit neutral.

In fact, we know that over a 10-year period, once it is fully implemented, the cost of this will be \$2.5 trillion. Americans do not think higher premiums, higher taxes, and massive cuts to Medicare is reform. They certainly do not think it is what we need at a time when 1 out of 10 working Americans is looking for a job and the Chinese are lecturing us about debt.

Do we want to pass this staggering spending program at a time when many would argue our international bankers, the Chinese, are lecturing us about debt? At this time of economic crisis, we need to make things easier for people struggling out there, not harder.

Make no mistake, the Democrats' plan we will vote on tonight would make life harder for the vast majority of Americans. It raises their taxes, it raises their health care premiums, it cuts their Medicare, and drives millions off the private insurance they currently have. When fully implemented, this plan would cost, as I indicated earlier, \$2.5 trillion. That is the equivalent of three failed stimulus bills.

Perhaps most shocking of all to most people is the conclusion of the Congressional Budget Office that this bill would actually drive up health care costs, not down. This massive bill, at a time when Americans are asking us to control health care costs, according to the independent Congressional Budget Office, actually drives up costs.

The American people are scratching their heads. They thought the idea behind all this was to try to lower costs. Perversely, what we are doing is the opposite.

Americans will have an opportunity to hear their elected representatives in the Senate express their views on this legislation all day today. Senators who support this bill have a lot of explaining to do—a lot of explaining to do. Americans know a vote to proceed on this bill, to get on this bill, is a vote for higher premiums, higher taxes, and massive cuts to Medicare. That is a pretty hard thing to justify supporting. Every Senator who goes on record saying we need to proceed to this monstrosity of a bill will, in effect, be voting for higher taxes, higher premiums, and cuts in Medicare.

It is a pretty hard position to justify. It is a pretty hard position to explain to your constituents. Frankly, I don't think it can be explained, and I don't think the American people do either.

I yield the floor.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The majority leader is recognized.

HEALTH CARE REFORM

Mr. REID. Madam President, my friend, the Republican leader, is living in a different world than most everyone else. For him to lecture the Senate on debt is beyond the pale. He, one of the Republican leaders during the last years, voted at every opportunity to spend more money in Iraq, without a penny of it being paid for—\$1 trillion it is now said to be—on a war of choice and not a penny of it paid for. To lecture us now on debt, when not only the war but the other actions of the Bush administration drove this country into deep debt? If one read the papers today or listened to Newsday, you will find economists all over America said the stimulus is working. Only 25 percent of the money has now been spent, and they recognize that but for the stimulus, we would be in a worldwide depression. That is all over the news today.

To focus on an editorial by a man who has been retired for many years and writes a column once in a while is not where we should be. Where we should be is recognizing America deserves a debate on health care reform. Last year, 750,000 Americans filed bankruptcy. Over half of those bankruptcies were because of medical expenses. Over half of the people who filed for bankruptcy because of medical expenses had health insurance. Do we need to do something on health insurance reform? Of course, we do.

It speaks volumes to recognize that insurance rates over America during the last few months are skyrocketing. Why? Because the insurance industry has an insatiable appetite for more profit. How are they able to do this when other businesses can't do it? They can do it because they are exempt from the antitrust laws of this country. The only business, other than Major League Baseball, that has that is the insurance industry. We are going to take a look at that in this legislation. Shouldn't we at least talk about it?

My friend the distinguished Republican leader is saying he doesn't think we should even have a debate on this issue, even though last year 750,000 Americans filed bankruptcy, most of them because of health expenses.

In addition to that, the morning news indicates that longtime conservative Republican Tommy Thompson, longtime Governor of the State of Wisconsin, Cabinet officer in the Bush administration, the Secretary of Health and Human Services, endorsed the legislation we will vote on this afternoon. To show it is bipartisan, Richard Gephardt, former Democratic leader of the House of Representatives, endorsed this, and many others.

Anyone who says this legislation contains an entitlement expansion is