

# RECOGNITION OF THE MAJORITY LEADER

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

## SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business. Senators will be permitted to speak for 10 minutes each during that period. Republicans will control the first 30 minutes, and the majority will control the next 30 minutes. We will continue work on an agreement to vote in relation to the drug reimportation matter, the Crapo motion to commit, and the side-by-side to the Crapo motion. These amendments and the motion are with respect to H.R. 3590, the health insurance reform legislation.

Yesterday, we filed cloture on the bill we got from the House, the appropriations bill, H.R. 3288, which includes Commerce-Justice-Science, Military Construction, Labor-HHS, Transportation, financial services, State and Foreign Operations. We are going to have at least two rollcall votes on motions to waive with respect to the appropriations conference report today. Senators will be notified when these votes are scheduled.

I direct this question through the Chair to my friend from South Dakota. I offered a unanimous consent request yesterday evening that set up a schedule of votes on the Crapo motion and, of course, the Dorgan amendment. Last night, I was told the Republicans were not ready yet. I ask my friend, are the Republicans ready to vote?

Mr. THUNE. Mr. President, the Republican leader has just arrived. I reserve any statement for him.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

# RECOGNITION OF THE MINORITY LEADER

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

## HEALTH CARE AND THE OMNIBUS

Mr. MCCONNELL. Mr. President, Republicans are fully engaged in the health care debate. It is our view that there is no more important work we can do here than to show Americans what the Democratic plan for health care would mean to them. Once we return to the debate, Republicans will be

ready with two important amendments.

One of those amendments, by Senator CRAPO, would enable the President to keep one of the pledges he made as a candidate and as President about what the Democratic plan for health care reform would look like. He said that no family making less than \$250,000 a year and no individual making less than \$200,000 a year would see a tax increase of any kind. The Crapo motion would ensure that promise is kept.

An amendment by Senators HUTCHISON and THUNE would ensure that none of the taxes imposed by this bill would go into effect a day earlier than the benefits. In other words, you don't get taxes before you get benefits. This is a commonsense amendment. You certainly wouldn't ask someone to pay for the mortgage on a house 4 years before they were allowed to move in. In the same way, we should not tax people for a benefit they don't get for 4 long years.

The Hutchison-Thune amendment also aims to keep government honest, because most Americans have a hard time believing Washington would collect taxes on one thing for 4 years and actually have the discipline not to use the money on something else. This amendment would guard against that.

For the moment, the majority has decided to take us off health care. It has moved to an Omnibus appropriations bill that has all the hallmarks of all the other bloated spending bills we have seen this year. It is really outrageous, actually. At a time of double-digit unemployment, at a time when Democrats are talking about increasing by nearly \$2 trillion the amount of money the government is legally allowed to borrow, the majority has moved us off of one \$2.5 trillion spending bill and on to a 1,000-page omnibus that would cost the American taxpayer another \$½ trillion right in the middle of a recession.

Once again, the majority has shown a lack of restraint when it comes to spending. At a moment of record debt, at a moment when inflation is nearly flat, this bill represents a 12-percent annual increase in government spending. Let me say that again. Inflation is flat. Yet we are increasing discretionary spending by 12 percent in this omnibus spending bill. The American people are not increasing their spending 12 percent. Moreover, it includes a number of controversial, unrelated provisions, including, among other things, language to weaken restrictions on abortion funding.

This \$½ trillion spending bill spends \$50 billion more than last year. All this spending comes right on the heels of a new report from Treasury that says the government ran a deficit of nearly \$300 billion in October and November—the worst deficit we have ever had at this point in a fiscal year, ever. At a time when families across the country are struggling to make ends meet, law-

makers almost seem to be flouting their ability to spend taxpayer money. This bill contains many worthy projects. Unfortunately, the majority has piled on so much spending, so much debt and new controversial policies that I certainly can't support it.

As you may know, the Senate is considering a bill that would make basic changes in the country's health care system. We have been debating it for weeks. What I keep hearing on the other side is no reference to what the American people think. I hear these arguments about making history. Ignoring the public is not a great way to make history. We have not seen poll data for months that indicate the American people support the Reid bill. The most devastating one came out last night. A CNN opinion research poll taken December 2 and 3, this week—not exactly a bastion of conservatism—indicates that 61 percent of the American people oppose this health care bill and only 36 percent favor it.

We are looking for one courageous Member of the other side of the aisle—just one—to stand up and say he or she will not ignore the overwhelming opinion of the American people, he or she will not be so arrogant as to assume we have the right answer here and 61 percent of the American people somehow don't know what they are talking about.

The American people are pretty smart. They have been watching this carefully. This health care bill, like no other issue, affects every single American regardless of age. Everybody is interested in the subject. They have watched the debate closely. They are telling us: Please, Congress, please do not pass this bill.

I yield the floor.

## 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, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Texas.

## ORDER OF PROCEDURE

Mrs. HUTCHISON. Mr. President, as I understand it, we are now in the 30-minute timeframe for the Republicans; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that we be allowed to have a colloquy so we can go back and forth.

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

Mrs. HUTCHISON. I thank the Acting President pro tempore.

#### HEALTH CARE REFORM

Mrs. HUTCHISON. Mr. President, I think the Republican leader just stated the case for why it is so important that we have the votes and that we go back to the drawing board on this bill. Americans are looking at the fine print of this bill. They are seeing \$½ trillion in taxes.

Just this week, the President has had a jobs summit because we are all concerned about jobs. My goodness, since the President took the oath of office, more than 3.5 million Americans have lost their jobs—300,000 Texans—our budget has tripled to \$1.4 trillion, and the Federal debt as a portion of the U.S. economy has risen to its highest level since World War II. So we are very concerned about these taxes. In fact, the small businesses of our country have said: No, do not do this to us.

The NFIB, which is the National Federation of Independent Business, sent a letter just this week saying:

When evaluating healthcare reform options, small business owners ask themselves two specific questions. First, will the bill lower insurance costs? Second, will the bill increase the overall cost of doing business?

Well, the answer to the first question is clearly no because the business taxes start on January 1, 2010—3 weeks or so from now—and going forward, the mandates and taxes in 2014 to small businesses are egregious. It could be \$750 per employee or it could be \$3,000 per employee if you do not have exactly the right mix of health care coverage for your employees. Well, at \$3,000 per employee, small businesses are telling me: I am out of here. We are just going to let people go to the government option because we cannot afford that.

So the answer to question No. 2 in the NFIB letter—which is, “Will the bill increase the overall cost of doing business?”—is, well, of course it will, at a time when we are seeing the numbers of people employed go down.

We are in a financial crisis in this country. People are jobless. We are in a holiday season. People are very stressed, and here we have a health care bill being rushed through, without amendments being able to come forward with a real chance for passing them. The cost of business is going to go up, which means more people are going to be laid off.

Now, I want to ask my friend, the Senator from South Dakota, a question because he and I are teaming up on an amendment. If we are going to have taxes increase in 3 weeks, you would say: Oh, OK, well taxes are going to start in 3 weeks, so, then, where is the package I signed up for that is going to lower my health care costs? So I would ask the Senator from South Dakota, when do the programs that are sup-

posed to lower health care costs take effect?

Mr. THUNE. I would say to my friend from Texas, Senator HUTCHISON, that as we have examined this legislation and have looked at its cost and its benefits and how that is distributed over time, it has become clear that what the other side has tried to do—the Democrats have tried to do—with this bill is understate its true cost by front-loading the tax increases and back-loading the spending. In other words, the tax increases kick in right away, when much of the benefit of the bill does not kick in for several years.

So I want to point something out, just to illustrate what the Senator from Texas has said; that is, the tax increases in the bill begin on January 1 of this year. So 21 days from now, Americans, individuals, families, and small businesses are going to see their taxes go up. Unfortunately, they are not going to see any benefit come until 1,482 days later.

What that, in effect, does is it understates the total cost of this legislation. They have said: We want to get this under \$1 trillion. The President said: I need a bill under \$1 trillion. So they have tried to come up with a bill that is about \$1 trillion. But what they do not tell you is that by delaying the benefits and front-loading the tax increases, you are actually going to have a 4- or 5-year period where people are having to experience tax increases. That is going to impact the small businesses because you have a Medicare payroll tax increase, which, by the way, for the first time, will not be used for Medicare but will be used to create a whole new entitlement health care program.

You have an employer mandate which is going to hit small businesses. You have the tax on medical device manufacturers, on prescription drugs, on health plans. You have all these taxes that kick in right away.

So what happens? These taxes get passed on to the consumers in this country in the form of higher premiums, so people are going to see their premiums go up. Small businesses are going to see their taxes go up immediately—well, 21 days from now. But Americans are not going to see any benefit from this for 1,482 days. So what we have is a gimmick that has been used to disguise the total cost of this bill, which we all know when fully implemented is not \$1 trillion but \$2.5 trillion.

So the Senator from Texas and I have a motion, which I believe is supported by the Senator from Wyoming, who is in the Chamber, that would delay the tax increases until such time as the benefits begin so we synchronize or align the tax increases and the fees to begin at the same time the benefits do so we will reflect the true cost of this legislation to the American people and not unfairly begin punishing small businesses by raising their taxes before a single dollar of benefit is going to be distributed to the American people.

Mrs. HUTCHISON. So I would ask the Senator from South Dakota—because it is our amendment, the Hutchison-Thune amendment—and surely the American people, who would look at the debate, would say: We are missing something. This cannot be right. We can't have taxes that are increasing our premiums, increasing our prescription drug costs, increasing our medical devices we must have for our health care for 4 years. Did he say that right? Did he say we would be paying those higher costs for 4 years before there is any option available to allow more people to have health care coverage?

Mr. THUNE. I would say to my friend from Texas, it is kind of the same old Washington game, the same old Washington gimmick, the same old back-room deal that has been cut basically that, of course, we have had no input into. Incidentally, there is another now, the latest permutation of this discussion, going on right now behind closed doors, which is the Medicare expansion, which is a subject for a whole other day.

But I think the American people are looking at this and saying: How does this impact me? More than anything else, they are watching this big debate in Washington, DC, and saying: How does this impact me? I think what they are concluding is that 90 percent of the American public, according to the Congressional Budget Office, would see their premiums stay the same at best or at worst go up, and when I say “stay the same,” that means double the rate of inflation annual increases in their health insurance premiums.

So the best you can hope for, if you are an American today, is the status quo when it comes to your health insurance premiums.

If you buy in the individual marketplace, your premiums are going to go up 10 to 13 percent above the annual, double the rate of inflation increases that we are currently seeing.

So that is what happens to the American public, the average person out there, in terms of their health insurance premiums. If you are a small business, you are looking at tax increases. You are looking at a whole new raft of tax increases that you are going to end up having to pay, which is why all of the small business organizations—the Senator from Texas pointed out the letter from the National Federation of Independent Business, which says this is going to drive the cost of doing business up. This is going to increase the cost of health care, not lower it. What they want to see in reform—small businesses that are the economic engine that creates jobs in this economy—is they want to see health care reforms put in place that drive health care costs down.

We know from every estimate that has been done, such as from the Congressional Budget Office—we have some data now from the CMS actuary that just came out yesterday that says overall health care expenditures are