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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, January 5, 2010, at 12 noon.

Senate

THURSDAY, DECEMBER 24, 2009

The Senate met at 6:45 a.m. and was called to order by the Vice President.

PRAYER

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

Let us pray.

O Lord our Heavenly Father, source of light, truth, and goodness, on this Christmas Eve, transform this time of

decision into a season of vision and inspiration. Continue to show our lawmakers Your mercy as You shed light on their thoughts and offer them Your salvation. Lord, give them strength, understanding, and humility as they seek to honor You by serving their Nation. Provide them with the power to match great needs with great deeds. Today, tune their hearts to the infinite

that perplexity may be removed by Your wisdom and peace. As You protect them from vanity and pride, give them the strength to concentrate, to think objectively, and to see Your will clearly. Remind us all this is the day that You have made so we should rejoice and be glad in it. We pray in Your great Name. Amen.

NOTICE

If the 111th Congress, 1st Session, adjourns sine die on or before December 26, 2009, a final issue of the *Congressional Record* for the 111th Congress, 1st Session, will be published on Thursday, December 31, 2009, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2009, and will be delivered on Monday, January 4, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong_record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

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



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S13889

RESERVATION OF LEADER TIME

The VICE PRESIDENT. Under the previous order, the leadership time is reserved.

SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009

The VICE PRESIDENT. Under the previous order, the Senate will resume consideration of H.R. 3590 which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

The VICE PRESIDENT. The majority leader is recognized.

Mr. REID. Mr. President, first let me take a minute to express my appreciation on behalf of the entire Senate to a number of people, not the least of which is ADM Barry Black who every morning leads this institution in prayer. His prayers are meaningful. They are beautiful. He is a brilliant man and adds so much to the Senate family.

I wish to offer my appreciation to the Parliamentarians who have been through a very intense, difficult decisionmaking time the last several months. Alan Frumin, Elizabeth MacDonough, Peter Robinson, and Leigh Hildebrand, we all appreciate you very much.

To the journal clerks led by Scott Sanborn, we appreciate your work. The legislative clerk, Kathie Alvarez, and all of her assistants; very difficult, tense times, and we appreciate what you do for us every day.

I also wish to express my appreciation to the court reporters, the doorkeepers, and the Sergeant at Arms. Chief Gainer is a good person. He does a wonderful job with the many responsibilities he has. But I do say this—and there is a lot of personal pride in this—as good as he is, he is better as a result of one of my former staffers, Drew Willison, who we all know is the Assistant Sergeant at Arms and does a remarkable job at protecting this institution.

Nancy Erickson, a wonderful person, is the Secretary of the Senate. She is someone I have great admiration and respect for. But again, with some personal pride, I suggest that one reason she has done such a good job is because of her assistant, the Assistant Secretary of the Senate, Sheila Dwyer, who again is one of my protégés.

I say with pride the tremendous, terrific, powerful work that has been done by Lula Davis, the Secretary of the Majority. There have been, as with all of us, a lot of difficult times, and she has held up remarkably well, giving me and the entire Senate the information they ask for constantly. She is assisted by Tim Mitchell. Of course, this place would not run as well without her working with the Secretary of the Minority, David Schiappa and his entire crew. They are wonderful people to

work with. Even though sometimes this place becomes very partisan, the work done by Lula Davis and David Schiappa is never partisan as it appears to the American public.

Finally, Mr. President, I wish to say a word about the people who work in the cloakrooms. They are the people who are unseen but instrumental to the operation of the Senate. I say finally, but I have to say with a lot of pride, having been one of them, how much I appreciate and acknowledge the attention and the protection of the Capitol Police. They are throughout this building. Some are in uniform, some aren't. But with all of the evil in the world, they have a very difficult job and they do extremely well.

Mr. President, we are happy to see the Vice President of the United States here in his capacity as President of the U.S. Senate. For 36 years you have graced these halls with your brilliance and I think it is fair to say that we miss you very much, but we are glad you are where you are.

Mr. President, following any leader remarks, the time until we finish our remarks will be divided between my counterpart and my friend from Kentucky, the senior Senator from Kentucky, and after we complete our remarks, we will proceed to a series of two rollcall votes in relation to the following items: passage of H.R. 3590, the health care reform legislation; and passage of H.R. 4314, an act to permit continued financing of government operations.

The VICE PRESIDENT. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I want to associate myself with the entirely appropriate remarks the majority leader has made about all of the people who work here at the Capitol at this difficult and intense time that we have been through. We thank you very much for your outstanding service.

It is early and I will be brief. The most obvious problem with the bill before us is that it doesn't do what it was supposed to do. The one test for any bill is whether it will lower costs. This bill fails that test. It is also clear that even many of the people on this side who are going to support this bill don't like it; otherwise, the Democratic leaders wouldn't have had such a tough time rounding up the votes; otherwise, Democratic leaders would not have had to have votes in the middle of the night or at the crack of dawn or over the weekend or even during a blizzard; otherwise, they wouldn't be rushing it through Congress on Christmas Eve, the first time this body has had a vote the day before Christmas in more than a century.

This debate was supposed to produce a bill that reformed health care in America. Instead, we are left with party-line votes in the middle of the night, a couple of sweetheart deals to get it over the finish line, and a truly outraged public. A problem they were told would be fixed wasn't. I guarantee

you that the people who voted for this bill are going to get an earful when they finally get home for the first time since Thanksgiving. They know there is widespread opposition to this monstrosity.

I want to assure you, Mr. President, this fight isn't over. In fact, this fight is long from over. My colleagues and I will work to stop this bill from becoming law. That is the clear will of the American people and we are going to continue to fight on their behalf.

The VICE PRESIDENT. The majority leader is recognized.

Mr. REID. Mr. President, like so many endeavors that have benefited so many Americans, making health insurance more affordable and health insurance companies more accountable is a process. It is one that has required us to find common ground, as we should. That is why we have a piece of legislation that over the next decade will reduce the deficit by \$132 billion and, over the next decade, as much as \$1.3 trillion.

Everyone knows we have had votes in the middle of the night and on Christmas Eve because the Republicans wouldn't allow us to have votes at any other hour. It is true when we go home we are going to hear an earful. I am going to hear an earful I bet from young Caleb, a boy who was born with legs that stopped here, right above his knees, who has needed a set of new prosthetic devices because the rest of his body is growing, but the insurance company says no because he had a pre-existing disability. I will get an earful from Caleb and especially his parents—an earful of joy and happiness. Because, you see, from this day forward, insurance companies will not be able to deny coverage because of a preexisting disability. For people such as Caleb and parents who have children with diabetes and other problems, it is over. So, yes, we will hear an earful, but it is going to be an earful of wonderment and happiness that people have waited for for a long time.

This morning is not the end of the process. It is merely the beginning. We will continue to build on this success to improve our health system even more and to further ease the terrible burdens on American families and businesses.

But that process cannot begin unless we start today. The American people and the American economy cannot afford for us to wait for the next time because, you see, there may not be a next time.

Nearly 65 years ago, Harry Truman condemned a system that condemns its citizens to the devastating economic side effects of sickness. Nearly 65 years later, we still suffer from the same. Just months after World War II came to a close, President Harry S. Truman wrote in a letter to Congress to this body:

We should resolve now that the health of this Nation is a national concern; that financial barriers in the way of attaining health