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Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

O God, we pray many prayers for many reasons, and we thank You for hearing us. Today, we ask You to give our Senators a spirit of wisdom that will save them from all false choices and will provide them with a straight path on which to walk without stumbling. Set a seal upon their lips so that no thoughtless words shall sting or harm another. May they meet today's tasks with courage and kindness, showing that they are Your children. Lord, empower them to see clearly the solutions they couldn't discover without Your help, as You remind them that all things are possible to those who believe in You. Help them to commit to You the challenges and decisions they will face, believing that You will enable them to serve with excellence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS 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, September 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 ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BURRIS 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, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first half, the majority will control the final half-hour.

Following morning business, the Senate will resume consideration of H.R. 2996, the Interior appropriations bill. At 12 o'clock, the Senate will proceed to a vote in relation to the Feinstein amendment. The Senate will then recess from 12:30 to 2:15 p.m. for the weekly caucus luncheons.

The official Senate photograph of the 111th Congress is at 2:15 p.m. today. Senators should be seated at their desks in the Chamber promptly at 2:15.

Several things. No. 1, on the Interior appropriations bill, today is the day for Members to offer amendments. They had Thursday, yesterday, and today, so this is the time they should act because I am not sure what we will do after today, but we are not going to spend more time on this bill. We shouldn't, at least. I hope we don't have to because we have to get to the Defense appropriations bill at the earliest possible date.

As to the photograph, normally what we do is we come in and convene at 2:15 and recess until the photograph is completed, and that is what we will do today, more than likely.

I would also say that, as we speak, the Finance Committee has been involved in a markup of that important piece of legislation for 1 hour now. They started at 9 o'clock. They probably will only make opening statements this morning before the weekly caucus luncheons. After that, the amendment process will start.

There will be a decision made, hopefully within the next several days, as to how we will proceed on this legislation. It is my hope we will have a bill reported out of that committee that will be brought to the floor, and then my responsibility will be to meld that bill with the HELP bill so we can have a piece of legislation on the Senate floor in the near future.

This is an important step in the process. It is a step I am confident will bring results that will be favorable to the country. If we can't work this out—to do something within the committee structure—then we will be forced to do the reconciliation. Of course, that will be a last resort. I know a number of steps we can take before we do that, but a reconciliation bill is there for us. It was put there by the Budget Committee.

If we can't come up with a bipartisan bill with the help of a few Republicans, then we will have to go the route of reconciliation. On reconciliation, under the order, there is only 20 hours of debate. It would be a free amendment process, which would take some time. We have done reconciliation on many different issues in recent years. We have done it on a number of health care issues, including the Medicare legislation. But it remains to be seen as to whether we will have to do reconciliation. I am confident and hopeful we won't have to do that but only time will tell.

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



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I would also say, we have scheduled the recess for the Columbus Day week. The reason that is done is because if we don't have that break, there would be 11 weeks until Thanksgiving and that is difficult. The Senate has changed over the years. Many Senators' families are in places other than Washington and 11 weeks is difficult not to have a week you can go home. But whether we will be able to keep that whole week depends a lot on when we get to health care legislation. It is obvious that if we are in the middle of health care, we can't take a recess for 1 week. So we will see as time goes on.

We have CBO scoring and that will take a little bit of time and there are always difficulties that arise when you have a major piece of legislation such as this. But the schedule is as we have outlined it. We have given all interested parties the days that there will be no votes, and we do have that week scheduled now for a recess, but when that was done, we did it indicating it may not come to be. It is according to what happens with the schedule.

We have a number of must-do things, and hopefully some of those will be done before the end of the month. We have to make a decision on the highway bill, we have postal reform, and we have a continuing resolution because we won't be able to complete all the appropriations bills prior to the end of the month. So there are a lot of things to do, and we will do our best to get them all done.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE

Mr. McCONNELL. Mr. President, today, the Senate Finance Committee will start to amend the health care proposal that its chairman, Senator BAUCUS, released last week. Before that work begins, I think it is important to remind Americans what this plan would mean for them.

Put simply, this plan calls for more and more government intrusion into the health care system and pays for it with \$350 billion in new taxes and hundreds of billions of dollars in Medicare cuts. So in the name of cutting costs, this plan raises taxes on virtually every American who uses our health care system.

Here are some of the tax increases in this plan: If you have insurance, this plan taxes you in the form of a new tax on insurance companies, which will then be passed on to consumers.

If you don't have insurance, this plan taxes you, too, by saying that the consequence of not maintaining insurance is an excise tax that could run as high as \$3,800 a year.

If you use a medical device—such as a hearing aid or an artificial heart—

this plan taxes you, and it also includes new taxes on everything from MRIs to contact lenses.

If you need laboratory tests for prevention, screening or diagnosis, this plan taxes them too.

If you are an employer who can't afford to provide health insurance to your employees, this plan taxes you—a tax that businesses across the country have warned could kill more jobs in the middle of a recession.

If you, similar to tens of millions of other Americans, take prescription drugs, this plan taxes you too.

This plan also increases taxes on about 1 in 10 family insurance policies, according to one policy group, and this tax will extend to more and more plans over time.

In short, if you have health insurance or you don't, you are taxed. If you seek preventive care, you are taxed. If you need a medical device, well, that is taxed too. At a time when Americans are demanding lower health care costs, this plan would drive them even higher.

As I said earlier, this plan also contains hundreds of billions of dollars in Medicare cuts, which will hurt America's seniors. It contains \$130 billion in cuts to Medicare Advantage, a program that gives 11 million seniors more choices and options when it comes to their health care. One Democratic Senator described these cuts as "intolerable."

The President recently said that seniors currently on Medicare Advantage would be able to get coverage that is "just as good." Seniors, however, want to keep the insurance they already have.

This plan contains nearly \$120 billion in Medicare cuts for hospitals that care for seniors—cuts that organizations such as the Kentucky Hospital Association have warned against because of the negative effect they would have on services to seniors in Kentucky and in other States.

This plan includes more than \$40 billion in cuts to home health agencies that let seniors receive care in their homes rather than having to go into a nursing home. This plan contains \$8 billion in cuts to hospice care, a service that provides dignity and comfort to seniors at the end of life.

Everyone agrees that Medicare needs reform but, instead of trying to address the problems at hand, this plan uses Medicare as a piggy bank to pay for new government programs that could very well have the same fiscal problems Medicare does.

Americans want reforms that make care more affordable and keep government out of health care decisions. They do not want a so-called reform that would actually make care more expensive and would put government bureaucrats in charge of health care decisions.

Americans have sent a clear message to lawmakers in Washington over the past months: No more trillion-dollar

programs, no more debt, and no more taxes. This plan for health care fails all these tests. That is why it is so important for the Finance Committee to give this proposal serious and careful consideration. I have listed just a few of the things that concern people about this plan. With 564 amendments filed from both Democrats and Republicans, it is clear we need to slow down and take the time necessary to address the serious bipartisan concerns about the plan.

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, the Senate will proceed to 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 Republicans controlling the first half and the majority controlling the second half.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from New Hampshire and I be permitted to engage in a colloquy.

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

STUDENT LOANS

Mr. ALEXANDER. Mr. President, I don't think we can say it too often—though some people may tire of hearing Republican Senators saying it—we have too much debt and too many Washington takeovers. Today, we want to talk about the latest Washington takeover, the latest huge addition to the national debt, which is the voluntary takeover of the Federal Family Education Loan Program.

Rather than describe the situation myself, let me go to the New York Times article, on September 14, to paint the picture.

Between financial rescue missions and the economic stimulus program, government spending accounts for a bigger share of the nation's economy—26 percent—than at any time since World War II. The government is financing 9 out of 10 new mortgages in the United States. If you buy a car from General Motors, you are buying from a company that is 60 percent owned by the government. If you take out a car loan or run up your credit card, the chances are good that the government is financing both your debt and that of your bank. And if you buy life insurance from the American International Group, you will be buying from a company that is almost 80 percent federally owned. Mr. Obama plans to argue, [the Obama administration says], that these government intrusions will be temporary.