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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

### PRAYER

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

Let us pray.

God of all grace, in the darkness of our limited knowledge, we turn to You for light. Illuminate the path of our Senators so that they may glorify You. Teach them to test all things by their conscience and always strive to do what is right. In these challenging times, strengthen their weakness, bring courage for cowardice and invincible faith for doubts. May they so live that their actions can withstand the scrutiny and judgment of posterity.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. GILLIBRAND 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. Madam President, following leader remarks, the Senate will resume consideration of the tax extenders legislation. Today, we will continue to work through the remaining amendments to the bill. Senators will be notified when votes are scheduled. There should be some this morning.

### RECOGNITION OF THE MINORITY LEADER

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

### HEALTH CARE

Mr. MCCONNELL. Madam President, the American people are asking us to start over on health care. They are asking us to scrap the massive bills Democrats have been trying to force on them. They want us to focus on cost instead. That has been their clear message now for over a year. But yesterday Democrats in Washington said they know better. The President and his allies in Congress made up their minds to turn aside any pretense of bipartisanship and plow ahead on a partisan bill—a partisan bill, by the way, that Americans don't want. In a last-ditch effort to get their way, they have staked themselves to a flawed vision of reform over the wishes of the public. What is that vision? It is a vision of health care whereby the Federal Gov-

ernment would become more involved in the health care decisions of every man, woman, and child in America; where small businesses get hit with new job-killing taxes; where Medicare is slashed for millions of seniors, insurance premiums go up, and Federal taxpayers are required, for the first time ever, to cover the cost of abortions.

The administration and its allies in Congress have tried repeatedly to jam this vision of health care through Congress without success. Now they are doubling down. They have one more tool in their arsenal, and they are deploying it. Meanwhile, the American people are watching all this in utter disbelief. Americans do want reform, but they don't want this. They are fed up because the longer Democrats cling to their flawed vision of reform, the longer Americans have to wait for the reforms they really want, the longer they will have to wait for us to focus on jobs and the economy.

The President did a very good job of laying out the problem yesterday. But the heart of the problem, as he himself described it, is the high cost of care, and the simple fact is, the bill he wants doesn't lower cost. On the contrary, the administration's own experts say the Democratic plan increases cost. This alone should be reason enough to start all over and put together a list of commonsense, step-by-step reforms that will actually lower cost.

The good news is we already have the list. At last week's health care summit at the White House, both parties acknowledged a handful of reforms on which all of us could agree. That is where we should start, on the things on which we agree.

Unfortunately, even before the summit began, Democrats were already intent on pushing the same old version they were pushing before the summit by any means possible. They couldn't get the old version over the finish line, even with all the backroom deals, the kickbacks, and the buy-offs, so sometime after the Massachusetts election,

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



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they hatched a plan to win over wavering Democrats in the House by promising to use some legislative sleight of hand that will only require a slim partisan majority in the Senate. This is outrageous on two counts—first, because the method they are proposing has never been used on such a sweeping piece of legislation; second, because Americans have already told us, loudly and clearly, they don't want this partisan approach. What about public opinion do our friends in the majority not understand? The American people are saying loudly and clearly they don't want us to do this.

What is worse, many of the same Democrats who are now pushing this party-line vote are on record as being foursquare against it for major legislation such as this. Here is what one senior Democratic Senator had to say about party-line votes on major legislation only a few years ago:

I've never passed a single bill worth talking about that didn't have as a lead co-sponsor a Republican. And I don't know of a single piece of legislation that has ever been adopted here that didn't have a Republican and a Democrat in the lead. That's because we need to sit down and work with each other. The rules of this institution have required that—that's why we exist.

I couldn't agree more. Americans expect big bills to command big majorities. That is why this is not a fight between Democrats and Republicans; it is a fight between Democrats inside the beltway and their constituents beyond it.

There is a better way. There is a better path to reform that none of us will regret. It is time to listen to the American people. It is time to work together on the kinds of step-by-step reforms they are asking for. Americans aren't stupid. They know the option they are being presented with—the option of some massive bill or nothing. That is a false choice.

So let's drop the partisan plan. Let's drop this unsalvageable bill, and let's start over.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### TAX EXTENDERS ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4213, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Baucus amendment No. 3336, in the nature of a substitute.

Sessions amendment No. 3337 (to amendment No. 3336) to reduce the deficit by establishing discretionary spending caps.

Landrieu modified amendment No. 3335 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to extend for 2 years the low-income housing credit rules for buildings in the GO Zones, and for other purposes.

Reid (for Murray) amendment No. 3356 (to amendment No. 3336) to provide funding for summer employment for youth.

Coburn amendment No. 3358 (to amendment No. 3336) to require the Senate to be transparent with taxpayers about spending.

Baucus (for Webb/Boxer) amendment No. 3342 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses.

Stabenow amendment No. 3382 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain American jobs through new domestic investments.

Feingold/Coburn amendment No. 3368 (to amendment No. 3336) to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

Brown (MA) amendment No. 3391 (to amendment No. 3336) to provide for a 6-month employee payroll tax rate cut.

Burr amendment No. 3389 (to amendment No. 3336) to provide Federal reimbursement to State and local Governments for a limited sales, use, and retailers' occupation tax holiday, and to offset the cost of such reimbursements.

Mr. BURRIS. Madam President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BAUCUS. Madam President, we are now on our fourth day of consideration of this important legislation to create jobs and extend vital safety net and tax provisions. This legislation would prevent millions of Americans from falling through the safety net. It would extend vital programs that were extended on a short-term basis earlier this year. It would put cash into the hands of Americans who would spend it quickly, boosting economic demand. It would extend critical programs and tax incentives that create jobs.

This is the legislation that will help half a million workers who lose their jobs nationwide to get help paying for their health insurance under COBRA. This is the legislation that will help nearly 40 million Medicare beneficiaries and nearly 9 million TRICARE beneficiaries keep access to their doctors. This is the legislation that will help 400,000 Americans get unemployment insurance benefits.

This is urgent legislation. We must enact it soon.

We had a productive day yesterday. We disposed of six amendments and rejected a point of order against the bill. As I count it, there are about 10

amendments pending. Those amendments are the underlying substitute amendment, Senator SESSIONS' amendment to impose discretionary spending caps, Senator LANDRIEU's amendment on the GO Zones, Senator MURRAY's amendment on summer employment for youth, Senator COBURN's amendment on transparency, Senator WEBB's amendment on executive bonuses, Senator STABENOW's amendment on AMT credits, a Feingold-Coburn amendment to rescind unused transportation earmarks, an amendment by Senator BROWN of Massachusetts on a payroll tax holiday, and Senator BURR's amendment on a sales tax holiday.

Before Senators offer additional amendments, we need to start processing the pending amendments. I have been advised there will be objection to setting aside the pending amendments for Senators to offer additional amendments until we have addressed some of the pending amendments.

Some of the amendments appear to me to be the sort of thing we could adopt by voice vote, and we are exploring that possibility in connection with at least two of them. On amendments that require a rollcall vote, I am hopeful we can schedule a number of votes starting at 2 p.m. this afternoon to dispose of several amendments. Then we will continue to process the pending amendments throughout the day.

I thank all Senators for their cooperation.

#### SUPPORTING FULL IMPLEMENTATION OF THE COMPREHENSIVE PEACE AGREEMENT IN SUDAN

Mr. BAUCUS. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, S. Res. 404.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 404) supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAUCUS. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 404) was agreed to.

The preamble was agreed to. The resolution, with its preamble, reads as follows:

#### S. RES. 404

Whereas violent civil conflict between North and South in Sudan raged for 21 years,