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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Almighty God, whose grace sustains us, Your goodness and mercy have followed us all the days of these Pilgrim years. Today, give understanding, humility, and courage to our lawmakers, that they may be faithful stewards whose work honors You. Lord, make them conscious of Your overshadowing presence as they seek to produce legislation that will bless our land. May they commit their ways unto You who knows the road they take and can bring them forth as gold tried in fire.

We pray in Your matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER 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, the Senate will resume consideration of the FAA bill. It is hopeful we will reach an agreement on the slots issue, which has created some controversy in this matter. The Senators involved, both Democrats and Republicans, have been working on this issue, and I hope we can have some agreement that will allow us to move forward to passage of this bill on Monday. This is the only issue that is holding up this bill.

There will be no rollcall votes today. The next vote will be at 5:30 p.m. on Monday.

MEASURES PLACED ON THE CALENDAR—S. 3143, H.R. 4851, AND H.R. 4853

Mr. REID. Mr. President, there are three bills at the desk due for a second reading and I ask that the Chair proceed with that.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3143) to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated.

A bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes.

A bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United

States Code, to extend authorizations for the airport improvement program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these three bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

UNANIMOUS-CONSENT REQUEST—H.R. 4851

Mr. REID. Mr. President, we have an issue and a problem, as we had a long debate dealing with unemployment benefits. We moved forward and passed the bill that would extend them for 30 days. That extension is going to run out before we complete the conference on this bill.

As a result of that, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4851, which is an act to provide for a 30-day extension of unemployment benefits, COBRA benefits, satellite television, poverty guidelines, and flood insurance; that the bill be read three times, passed, and a motion to reconsider be laid on the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, obviously we just received the papers yesterday and the indication about 30 minutes ago that this request would be made. It is Friday. Members aren't here. The leader is obviously not here, as explained by my presence.

Obviously, we will visit with our Members on Monday when everybody returns and determine what the appropriate way to proceed on this is. It doesn't expire until April 5, so there is plenty of time, and we will be happy to work with the majority leader to determine the best course of action to get this resolved before April 5.

I supported this extension last time, so this is necessarily obviously not based on a substantive objection but

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



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the need to inquire with our Members as to how they wish to proceed, as a result of which, at this moment, I would have to object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, I agree with my friend from Arizona. I think there should be consultation with his Members, and we hope we can work something out next week.

RESERVATION OF LEADER TIME

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

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

The ACTING PRESIDENT pro tempore. The Senate will resume consideration of H.R. 1586, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1586) to impose an additional tax on bonuses received on certain TARP recipients.

Pending:

Rockefeller amendment No. 3452, in the nature of a substitute.

McCain amendment No. 3527 (to amend amendment No. 3452), to require the Administrator of the Federal Aviation Administration to develop a financing proposal for fully funding the development and implementation of technology for the Next Generation Air Transportation System.

McCain amendment No. 3528 (to amend amendment No. 3452), to provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the park.

Mr. REID. Mr. President, has morning business been announced?

The ACTING PRESIDENT pro tempore. We are on the bill.

Mr. REID. We are on the bill. That is where we should be.

I note 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. DORGAN. Mr. 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. DORGAN. Mr. President, this morning we are awaiting the opportunity to do a unanimous consent request that would then give us the road ahead to complete the FAA reauthorization bill on Monday. We have spent 5 days on the floor of the Senate, entertained a fairly large number of amendments and had votes on amendments. We have one large group of amendments that has been cleared by both sides. We will include that in the unanimous consent request as well.

We made a lot of progress last night in reaching some understandings about

a couple of the complicated and controversial issues. It appears now, when we get the unanimous consent request, which I think we have agreed to—we are just getting it prepared—we will be able to get that done this morning. That will give us the road forward, and we will complete this bill Monday evening.

This is a very big achievement because the FAA reauthorization bill has been extended 11 times rather than completed and reauthorized. It has been extended 11 times without what we needed to do, such as authorize the activities to modernize our air traffic control system, update some of the safety issues that are included in this legislation, update the essential air service program, including the passengers' bill of rights—a series of provisions that are very important to make certain we have a modern aviation system that is as safe as it can be and that is as protective of passengers as is possible, giving the airlines and those in general aviation, as well, the opportunity to have a modern air traffic control system, the most modern in the world.

This is a big achievement. I appreciate the cooperation of all of our colleagues, Republicans and Democrats, who joined last evening in wanting to finish this bill. We were able to reach some understandings to do that.

While we are waiting for the opportunity to do the unanimous consent request—it is not yet completely written—I am going to give a presentation this morning on the subject of energy.

I will withhold on that. I know our colleague from Arizona is on the floor. Let me at this point yield the floor, and at some appropriate point I will spend some time talking about energy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask my friend from North Dakota, I intended to speak in morning business as well, if he has no objection.

I ask unanimous consent to address the Senate as in morning business.

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

HEALTH CARE

Mr. MCCAIN. Mr. President, there is a lot of excitement and interest, obviously, around the country about the impending, possibly, vote in the other body, perhaps as early as Sunday. I think it is time we talked a little bit about reality as well. I would like to mention one item.

I read from an article from the Dow Jones Newswires:

Caterpillar, Inc., said the health care overhaul legislation being considered by the U.S. House would increase the company's health care costs by more than \$100 million in the first year alone.

In a letter Thursday to [House] Speaker Nancy Pelosi and House Republican leader John Boehner of Ohio, Caterpillar urged lawmakers to vote against the plan "because of the substantial cost burdens it would place

on our shareholders, employees and retirees."

Caterpillar, the world's largest construction machinery manufacturer by sales, said it's particularly opposed to provisions in the bill that would expand Medicare taxes and mandate insurance coverage. The legislation would require nearly all companies to provide health insurance for their employees.

I would point out to my colleagues that this is one of the largest exporters the United States of America has.

Continuing to quote:

Caterpillar noted that the company supports efforts to increase the quality and value of health care for patients . . . unfortunately, neither the current legislation in the House and Senate, nor the President's proposal, meets these goals.

Most telling, perhaps, is the comment of the vice president, who said this:

We can ill-afford cost increases that place us at a disadvantage versus our global competitors.

So here we are with a huge trade deficit of almost unprecedented proportions. We owe the Chinese \$850 billion, or some huge amount, and more every day, so Caterpillar is going to have their expenses increased in 1 year by \$100 million or more. How in the world are they going to be competitive?

I probably should have begun with this. Yesterday, in my home State of Arizona, almost an unprecedented event took place. The Governor of the State of Arizona, Governor Jan Brewer, the majority leader of the senate, and the speaker of the house, held a press conference in which they talked about a letter they sent to the President of the United States. I want to quote from the letter:

Dear Mr. President: We share common ground in that we both have been called to lead during some of the most difficult times our Nation has faced. Like you, I hear painful stories on a regular basis from people who are struggling to survive. Yet in their time of need, our State government is on the brink of insolvency.

During this downturn, Arizona has lost the largest percentage of jobs in the United States. The flagging economy has resulted in a loss of State revenues in excess of 30 percent, placing tremendous pressures on our State budget. Today, Arizona faces one of the largest deficits of any State.

There is no doubt that this fiscal calamity has been compounded by the enormous spending increases we are facing as a result of our Medicaid, which has seen population growth of almost 20 percent in the past 12 months. It is for that reason I write to you today.

You have repeated on several occasions that the debate on health care reform has consumed the past year and you most recently called on Congress to vote the measure "up or down." As the governor of a State that is bleeding red ink, I am imploring our congressional delegation to vote against your proposal to expand government health care and to help vote it down.

The reason for my position is simple: We cannot afford it. And based on our State's own experience with government health care expansion, we doubt the rest of America can either.

Then the Governor of the State of Arizona, Jan Brewer, along with the