

Third, this bill will fix an injustice to doctors who treat America's senior citizens—those on Medicare. More than a decade ago, a Republican-dominated Congress passed a flawed policy regarding how doctors are reimbursed for seeing patients on Medicare. Tomorrow, these doctors will see those payments drop 21 percent—that is more than one-fifth—and it will drop overnight. That is grossly unfair to doctors and it is dangerous for seniors, veterans, and others they may soon no longer be able to treat.

But that is not all. Many HMOs and other providers base their reimbursements on Medicare rates. So you don't have to be a senior citizen or a veteran to be affected by the sharp cut scheduled to take effect tomorrow.

Some on the other side are still trying again to stand in the way. As I said, the doctors payment problem came out of a Congress that was dominated by Republicans. The Democratic Congress is determined to fix this.

Let's say a word about the BP disaster. Next week will mark 2 months since millions of gallons of oil started gushing into the Gulf of Mexico. But this week will tell us a lot about who is fighting for the taxpayers and who is fighting for corporate America.

The cost of the BP disaster isn't limited to the devastated waters and wildlife along our gulf coast. The damage extends to the lives and livelihoods of so many in that region—such as small businesses that can't operate at full speed, and the workers whose jobs are threatened when these businesses slow. Whether it is fishermen, shrimpers, or tourism businesses whose workplace—the Gulf of Mexico—has been polluted on such a large scale, the damages would stretch clear across the State of Nevada, from our California border to our Utah border. Understand how big that is. Nevada is the seventh largest State in the Union, areawise.

Another cost, of course, is the families forever changed when 11 men died in the explosion that caused the spill. Some estimate the pricetag for this disaster will climb to the tens of billions of dollars. But let's be honest: Someone is going to end up paying that bill eventually, but we are making sure it is not going to be the taxpayers. We are going to send the tab to BP.

That is why I sent a letter yesterday to Tony Hayward, BP's chief executive officer. I am pleased and encouraged that the vast majority of Democrats we could get hold of signed their names alongside mine. We told Hayward we are committed to ensuring BP is held fully responsible, and that we refuse to ask taxpayers to bail out one of the richest companies in the whole world. We asked our Republican colleagues to join us.

We are calling on BP to create a special accountability account—overseen by an independent trustee—to pay for the damages from their historic disaster and the cost of cleaning up their catastrophe. We are making these de-

mands because we don't have a lot of reason to give BP the benefit of the doubt. Shortly after the explosion, we learned of the shortcuts that led to it. We saw it all over—including a very nice piece they did on "60 Minutes." We also recently learned BP vastly understated the extent and rate of the spill. And in past disasters, we have seen other oil companies spend millions on lawsuits and public relations campaigns, all designed not to compensate the businesses and families they hurt but to improve their profits.

Our message to BP is as simple as this: If you drill and you spill, we are going to make sure you pay the bill.

RECOGNITION OF THE MINORITY LEADER

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

FLAG DAY, HEALTH CARE AND EXTENDERS

Mr. MCCONNELL. Mr. President, first, I would like to note a couple important anniversaries today. It was on this day in 1775 that the Continental Army was established and George Washington appointed to lead it. So June 14 has gone down in history not only as the beginning of America's defeat of the British Army but also as the birth of the greatest Army the world has ever known. The largest and oldest branch of the U.S. military, the Army is older than the United States itself. Its first leader became our first President. It continues to make Americans proud, and we are grateful on this day and every day for the men and women of the U.S. Army.

Incidentally, 2 years to the day after the establishment of the Army, the Second Continental Congress officially established the flag under which our military has fought ever since. The resolution in Congress said that 13 stripes would represent the 13 States, and that 13 stars would represent the Union in the form of a new constellation. President Wilson officially established this day as Flag Day in 1916. Ever since, Americans everywhere have honored this great symbol of freedom every year on Flag Day, June 14. We honor those who have fought for it, and we are proud of all that the flag of the United States of America represents here and wherever it flies around the globe.

On another topic, the Obama administration announced new regulations today that will give Americans a better sense of how the health care bill will affect them. These new regulations outline the various ways in which existing health plans will be forced to change under the new law. According to the Obama administration report we saw on all this today, these regulations could result in nearly 7 out of 10 workers—and 80 percent of workers at small businesses—seeing changes in their

plans. In other words, under the new health care bill, more than half of those who get insurance through their jobs may be forced to change their plans whether they want to or not.

This is not only bad news for the vast majority of Americans who like the plans they have. It also flatly contradicts the President's repeated promises to the contrary. A year ago this month, the President said the following on national television: "... Government is not going to make you change plans under health reform."

The implication here was that businesses might change your plans, but government won't. Today's regulations show that this isn't true. The government is about to change the plans most Americans have. Here's one more promise the administration has broken on health care and one more warning Republicans issued on this bill that's been vindicated.

Now onto the business on the floor. Since Democrats continue to argue among themselves about the extenders bill, I will be asking consent at the end of my remarks to pass a 30-day extension of the recently expired provisions in the bill that will give doctors and those looking for work the assurances they need to plan ahead. And rather than doing it in a way that simply adds to the deficit, this proposal would actually reduce the debt by \$2.5 billion. Moreover, later today Senator THUNE will offer an amendment that would provide for a long-term extension of these programs, plus the tax provisions which expired at the end of last year, without adding a dime to the deficit.

In fact, the Thune amendment would enable us to lower the deficit by \$55 billion by enacting the kinds of spending cuts Americans are demanding of lawmakers in Washington.

Many of these cuts have been proposed previously by Senator COBURN and received bipartisan support on the supplemental spending bill. We need to show the American people we are making serious efforts to cut spending. The Thune amendment gives us an opportunity to do just that today. I hope our Democrat friends join us in that effort.

As I indicated and mentioned to the majority leader when we were in private discussion a while ago, I will now propound the consent agreement to which I referred in my remarks.

UNANIMOUS-CONSENT REQUEST—S. 3421

Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 411, S. 3421; further, that the bill be read a third time and passed, and the motion to reconsider be laid upon the table; before the chair rules, for clarity, this is a paid for 30-day extension of the extenders bill, which includes unemployment insurance, doc fix, COBRA, flood insurance, and the extension of the small business loan guarantee program and the 2009 Federal poverty guidelines.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, it is my understanding, through the Chair to my distinguished friend, the senior Senator from Kentucky, that this is paid for out of stimulus money?

Mr. MCCONNELL. Mr. President, I believe most of the pay-fors are. I would say to my friend, having consulted with staff, it is some stimulus money but largely what we believe to be noncontroversial pay-fors.

Mr. REID. Mr. President, a 30-day extension doesn't solve the problems we have. A 30-day extension of unemployment, 30-day FMAP, 30-day doc fix, is just kicking them all down the road. We have to have a legitimate program to extend these benefits into the future, and 30 days does not do it. It just kicks the ball down the road.

I would also say, with money being taken from the recovery moneys—this is one of the job-creating things we have left going on in this government. It is a good program, it creates jobs.

I look forward to working with my Republican colleagues to have a more long-term fix of this difficult problem, and therefore I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. There will now be a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each, with the time divided or controlled by the two leaders or their designees.

The Senator from New Mexico.

SUPPORTING DONALD BERWICK

Mr. BINGAMAN. Mr. President, I come to the floor to urge quick confirmation of President Obama's nominee, Dr. Donald Berwick, to become the Administrator for the Centers for Medicare and Medicaid Services, also known as CMS. He is highly qualified and capable. This is an extremely important position for which he has been nominated.

Unfortunately, according to recent press reports, it appears that some who oppose the new health reform law are hoping to use Dr. Berwick's confirmation process as a forum to debate the merits of this new health reform law which has now been enacted.

In my view, whether Senators favored or opposed the enactment of health care reform legislation, it is clearly in the interests of our country that we have a capable Administrator to implement the new law. Over the last year and a half, there has been an enormous focus in Congress on address-

ing the very serious problems facing our health care system. It is important the President's choice to head the CMS be confirmed so that he can take up the enormous challenge and the enormous opportunity that is presented by the enactment of this new legislation.

It is clear our Nation has urgent needs. This is not a time for the Senate to delay Dr. Berwick's nomination. I recently spent time with Dr. Berwick at the annual Health Policy Conference headed by the Commonwealth Fund this last January. I was impressed both with the depth of his understanding of the many issues facing the health care system as well as his passion for improving the quality of health care and his impressive successes in doing so.

Dr. Berwick has dedicated his career to finding ways to make our health care system work better for patients and cost less for taxpayers. These are core missions he will take on as our next CMS Administrator.

Don is the founder and CEO of the Institute for Health Care Improvement. He is a professor of health policy at the Harvard Medical School and the School of Public Health, and he is a practicing physician at some of our Nation's top hospitals. He has held numerous leadership roles at the institutions that ensure quality care in America, including service on the board of the American Hospital Association and as chair of the Advisory Council for the Agency for Healthcare Research and Quality.

Don's vast experience with our health care system, his award-winning career as an expert in health care quality, make him the ideal candidate to lead CMS at this critical time. The historic health reform legislation that President Obama signed into law this year takes significant steps to strengthen Medicare, reduce waste, fraud, and abuse in the system, and makes critical improvements in the way care is delivered. Implementing those changes in the smartest and most effective way is going to require an Administrator who has seen firsthand what it takes to make meaningful improvements in health care quality and efficiency. It is also going to take an Administrator with a passion to get the job done right.

Don Berwick has both. That is why he was chosen by President Obama to be the next CMS Administrator. His nomination has won praise from across the political and professional spectrum, including former CMS Administrators who served Republican Presidents. For example, Thomas A. Scully, who was CMS Administrator under President George W. Bush between 2001 and 2003, said:

Dr. Berwick is about as noncontroversial and well liked as you can get. You are not going to do any better.

Mark McClellan, CMS Administrator under George W. Bush from 2004 to 2006 said the following:

What happens at CMS over the next couple of years will determine whether the new legislation actually improves quality and low-

ers costs. Don has a unique background both in improving quality care on the ground and thinking about how our Nation's health care policies need to be reformed to help make that happen.

Dr. Nancy H. Nielsen, M.D., immediate past president of the American Medical Association, said:

We welcome President Obama's nomination of Dr. Donald Berwick to be administrator of the Centers for Medicare and Medicaid services. He is widely known and well respected for his visionary leadership efforts that focus on optimizing the quality and safety of patient care in hospitals and across health care settings.

Dr. John Rather, the executive vice president of AARP, said:

Dr. Berwick's expertise on healthcare innovation and his dedication to quality improvement and patient safety would benefit the millions of low-income and older Americans served by Medicare and Medicaid. His appointment is welcome news to Medicare beneficiaries, as it signals that quality and safety will be at the top of the agenda.

Finally, our former colleague, Dave Durenberger, a Republican from Minnesota, said:

President Obama let us know he means business on "bending the medical cost curve" by nominating Dr. Don Berwick as head of the Center for Medicare and Medicaid services. . . . This appointment will be taken as an indication that health policy and health system reform is likely to be this President's top priority in his first term. We all know that Don Berwick has the ability to make both work.

There is broad consensus that the nomination of Dr. Berwick is an excellent choice by President Obama. Our country needs Dr. Berwick's remarkable talents now, and every day his confirmation stalls or is delayed is a missed opportunity to ensure his unparalleled leadership is directing our Nation's largest and most influential health care agency.

I urge my colleagues on both sides of the aisle to swiftly approve his nomination.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I might note to my colleague from New Mexico that there is a different point of view about this particular nominee. I would venture to say that since his hearing has not been scheduled yet, it may be a while before we are able to take up that nomination. In any event, there are many on our side of the aisle who have significant concerns about whether he should be put in charge of the CMS. But I appreciate the comments of my colleague, and I will turn to a different subject at this point.

SPENDING

Mr. KYL. Mr. President, about the time I think Washington is beginning to get the message that the American people are fed up with runaway spending, my hopes are dashed by proposals to spend even more. I would like to refer to one here in just a moment.

First, there is no question that the American people are unhappy about