



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, THURSDAY, JUNE 17, 2010

No. 91

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.

Almighty God, give our lawmakers grace to choose the way that leads to light. Direct their thoughts, words, and works so that they will follow where You lead. Prosper the works of their hands as they seek to glorify Your Name. Lord, free their hearts to give You zealous, active, and cheerful service. Help them so live that whenever Your call comes for them—at morning, midday, or evening—it may find them ready, their work completed, and their hearts at peace with You.

We pray in Your sovereign 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 17, 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. GILLI-

BRAND, 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, if any, there will be a period of morning business until 10 a.m., with Senators allowed to speak for up to 10 minutes each. The majority will control the first half, the Republicans will control the final half.

Upon the conclusion of morning business, the Senate will resume consideration of the House message which accompanies H.R. 4213. There will be up to 2 hours for debate on the Thune amendment, which is numbered 4376, with the time equally divided and controlled between Senators THUNE and BAUCUS or their designees. If all time is used, at approximately noon today, the Senate will proceed to a vote on the motion to waive the Budget Act with respect to the Thune amendment.

As a reminder, last night I filed cloture on the Baucus substitute amendment. The managers of the bill will work with Senators on agreements to consider amendments so that we can move toward completion of the bill as quickly as possible. Senators should expect additional votes today in relation to amendments to the bill. Senators will be notified when additional votes are scheduled.

I have spoken to the manager of the bill, Senator BAUCUS, and he has spoken to a number of his Republican colleagues, and we are going to try to ar-

range a number of votes as soon as we finish the Thune matter. There are at least three that I know the Republicans want to offer, and there are a number on our side, but we will try to get that done as quickly as possible. This is not a time for never-ending amendments. This is the seventh week we have been on this legislation. They have not been contiguous, but they have certainly been spent on this legislation. So we hope we can work out a reasonable agreement on the amendments that need to be debated and voted on. If we can't work something out tonight, this afternoon, we will have to have a cloture vote in the morning. I would hope that can be avoided. I don't know if it can be.

The problem we have is that we have asked the Secretary of Health and Human Services, Kathleen Sebelius, to work to extend the time administratively so that the 21-percent cut to Medicare doesn't go into effect. We think we have been able to do that, until tomorrow. But we are in very perilous times here. Unemployment compensation benefits have already expired. These tax extenders, which are so important to businesses, have expired. Therefore, it is essential that we get something done. Remember, Medicare reimbursement is not just for Medicare patients. Even though some doctors have already said they are going to drop Medicare patients, it is for more than Medicare patients because most reimbursement in our country is based upon Medicare levels—insurance companies, HMOs, and veterans programs. So everyone on both sides of the aisle should understand that the time to sit back and say: We will work something out later isn't going to be here. We have to do something today, or tomorrow at the latest, because of this 21 percent cut. We have cried wolf for the last time. It will go into effect over the weekend.

We also have an important element in this legislation that deals with

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



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FMAP. The poorest of the poor in our country are able to get Medicaid through the State programs, and we assist at the Federal level. Those programs, in most States, are in a perilous state. They have cut a lot of the programs. A lot of people who are eligible for certain Medicaid procedures and office visits and things of that nature have been terminated already. I have received calls from at least 20 Governors—and it is not just Democratic Governors—who are desperate for this money.

So everything in this bill is paid for except FMAP and the situation I related to regarding unemployment compensation extension. Everything else is paid for. The doctor fix is paid for in the amendment that is now before us where cloture has been filed. So I hope we can work through these amendments the Republicans have to have and we have to have on our side and, if possible, we can go ahead and set up a vote to get rid of this piece of legislation today; otherwise, we will have a cloture tomorrow, and 30 hours runs after that, and by that time the doctors and patients will be harmed significantly, notwithstanding the fact that the unemployed have already been hurt.

RECOGNITION OF THE MINORITY LEADER

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

THUNE AMENDMENT

Mr. MCCONNELL. Madam President, Democrats continue to argue among themselves about how much they want to add to the deficit. Yesterday, they unveiled their latest proposal, which would add another \$50 billion. And they are calling this an accomplishment—an accomplishment they reached not by making any tough choices but by shortening the length of time they would pay for programs they know they will end up extending anyway. Only in Washington would people boast about saving money they fully intend to spend down the road. And only in Washington would people raid a trust fund intended to pay for oilspill cleanup to cover completely unrelated spending in the middle of an oilspill. Let me say that again: Only in Washington would people raid a trust fund intended to pay for oilspill cleanup to cover completely unrelated spending in the middle of an oilspill.

So Democrats can continue to play these games or they can join Republicans in voting for the Thune amendment later today. The Thune amendment would actually do the thing Americans want us to do right now; that is, lower the deficit and create real opportunities for job growth.

Senators will have a simple choice today: They can either vote to reduce the deficit or they can lock arms with

the Democratic leadership and dig an even deeper hole of debt, when most Americans think \$13 trillion is far too much already. If you are even remotely attuned to what Americans are asking us, this would be an easy choice. Our colleagues across the aisle have come down to the Senate floor over and over to claim the mantle of fiscal responsibility. Well, today they can prove it. Americans want us to show we are serious about lowering the debt. Senators will have that opportunity later today.

So I ask my colleagues on both sides to join with me today and vote in favor of the Thune amendment.

Madam President, 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, there will be a period of morning business until 10 a.m., with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the time under the control of the majority be equally divided between myself, Senator SHAHEEN, and Senator NELSON of Florida.

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

The Senator from New Hampshire.

UNANIMOUS-CONSENT REQUEST— S. 3462

Mrs. SHAHEEN. Madam President, I rise today to ask that my legislation, S. 3462, which would grant subpoena power to the Presidential commission tasked with investigating the BP oilspill, be passed by unanimous consent.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object, Madam President, I think I will object at this time. The bill was just introduced 7 business days ago. It has been referred to the Judiciary Committee, where I assume Chairman LEAHY will take a thoughtful look at it. Senator REID has asked his committee chairmen to report out oilspill legislation by the 4th of July for consideration next month, so I think we should give that process an opportunity to work. So I do object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I don't understand. We are 58 days into this oilspill. Eleven lives have been lost. We have seen up to 97 million gal-

lons of oil in the Gulf of Mexico that is already on the shores of the gulf. We have thousands of wildlife covered in oil, many of them dead. We have fishermen who have lost their livelihoods, some, we guess, maybe for generations. We have countless hotels and restaurants that are empty during what should be their prime tourist season. I don't understand why, given all of this—the full devastation of this catastrophic spill is far from being known, although we know it is going to be one of the worst economic and environmental disasters in American history, and we need to make absolutely certain this never happens again—why people are still objecting to giving the bipartisan commission charged with investigating this disaster the subpoena power to do what they need to do to make sure this never happens again.

In order to have a full and fruitful investigation, this commission must have subpoena power to get to the bottom of what safety precautions BP did and did not take leading up to the Deepwater Horizon explosion. Subpoena power is essential to their task of making meaningful recommendations on how to prevent future disasters. That is why I, along with 18 other Senators, have introduced this legislation to grant subpoena power to this commission. It is unacceptable for BP and the other companies responsible for this oilspill to continue to stonewall the American people.

I don't understand why my colleagues on the other side of the aisle are objecting to this. I would assume they are as interested in getting to the bottom of this disaster as the rest of us are, and this stonewalling is something I just don't understand.

I yield the floor.

Mr. INHOFE. Madam President, let me respond to the Senator from New Hampshire.

The ACTING PRESIDENT pro tempore. The Senator does not have control of the time at this moment.

Mr. INHOFE. I was just reassuring her. I think I agree with everything she said. Mine was the process we are talking about, and I think that is the process the majority leader was recommending.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Could the Presiding Officer tell me how much time remains for the majority side?

The ACTING PRESIDENT pro tempore. There are 6 minutes 20 seconds remaining.

Mr. MENENDEZ. Would the Presiding Officer let me know when I have exhausted 2 of my 3 minutes?

The ACTING PRESIDENT pro tempore. Yes.

Mr. MENENDEZ. Madam President, I rise once again to ask unanimous consent—and I will do so shortly—to hold oil companies accountable for their spills. This is really a sense of who is on your side. Are we going to take the side of big oil or are we going to take