

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—
H.R. 1586

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 36, H.R. 1586, and that the Reid substitute amendment, which is at the desk, be considered read; that the Republican leader, or his designee, be recognized to offer a substitute amendment, and that there be 60 minutes for debate with respect to that amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on a motion to waive the point of order; that if the waiver is successful, the amendment be agreed to and the Reid substitute, as amended, be agreed to; that if the waiver fails, the amendment be withdrawn; further, that there be 30 minutes for debate with respect to the Reid substitute amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, and if a budget point of order is made against the amendment, a motion to waive the relevant point of order be considered made, and the Senate then vote on the motion to waive the point of order; that if the waiver is successful, the Senate proceed to vote on adoption of the Reid substitute amendment; further, that no further amendments or debate be in order; that upon disposition of the Reid substitute amendment, the bill, as amended, be read the third time; and following the reading by the clerk of the budgetary effects of pay-go legislation with respect to H.R. 1586, the Senate proceed to vote on passage of the bill, as amended; that upon passage the title amendment, which is at the desk, be considered and agreed to.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, as usual, prior to coming to call off the quorum, I had a visit with my friend from Kentucky, who is someone for whom I have the greatest respect. I am going to miss him so much, as I have said publicly and privately. In the days of my youth, I, of course, wanted to be the baseball player that he turned out to be. But that is another story. I didn't want to pitch. I wanted to be something else—a catcher or a shortstop.

Mr. President, I regret that my friend has objected to this modest request. Earlier today, I was advised by the Republican leadership that they needed to have an amendment to be offered on this bill. As noted above, we

agreed to that request. The items that we are proposing to extend in my substitute amendment include unemployment insurance, COBRA, flood insurance, highway funding, small business loans, and small business provisions of the American Recovery Act, the Satellite Home View Act, SGR—the so-called doctor fix—and poverty guidelines. All of these provisions will expire on Sunday, February 28. That is this coming Sunday.

Agencies have been already sending out notices to unemployed workers—agencies such as a number of transportation departments around the country have sent out notices that their work had come to a stop, so they would not be getting benefits.

It is critical that these programs continue so that Americans who are already struggling can continue to get this modest relief. Therefore, I regret the objection of my friend from Kentucky. I hope we can work through this objection and continue these important programs.

Mr. President, we have been told by the Congressional Budget Office that the No. 1 stimulative to our struggling economy is to give people who are out of work, and have been out of work for a long time, unemployment benefits. That money goes right into the economy—whether it is in Anchorage, Las Vegas, or Louisville.

COBRA—there are people who are losing their jobs and they need the ability to buy insurance. Statutorily now they can do that, but this is going to expire. Highway funding—I have already talked about that. It is just a real shame, and I am sorry that we can't get this done by February 28. But we can't. This month would give us the time we need to complete our work.

As far as unemployment benefits, notices have already gone out to thousands of Americans that their benefits are going to be terminated—these unemployed workers. They are already crushed with all the problems they have, and now they are not going to have unemployment benefits. That is simply not right.

I say to my friend again, I regret that we weren't able to work this out today. I hope there is something we can do to work through this objection. We need to continue these important programs.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, H.R. 1586; that the amendment at the desk, which is the text of the Reid substitute, with an offset, be agreed to; the bill, as amended, be read the third time and passed; and the motion to reconsider be laid on the table.

Mr. REID. Mr. President, reserving the right to object, with the provisions that we are seeking to be extended, there are some of them that cost money.

They all cost a little bit, but there are three items here that cost more

than any of the others; that is, unemployment compensation, COBRA, and the SGR. If there were ever an emergency—ever—in this body, certainly it would be unemployment compensation and COBRA moneys.

I came to the floor earlier this year—it could have been late last year; time flies—to try to get a permanent fix, as we call it, for the SGR for 10 years. That did not get enough votes. That is unfortunate. And this is really unfortunate. This SGR, the Medicare payments that will be allowed to doctors, is for more than doctors; it is for doctors who will take Medicare patients. Many doctors in America today will not take Medicare patients. If we do not get this extended, a lot more will not take Medicare patients.

Our Medicaid programs throughout America are in deep trouble. I met Monday with 12 Governors. Everyone said they were in desperate shape for a lot of reasons, but one of the reasons is what has happened to Medicaid. Not only is it important to the doctors—and that is important—it is more important to the patients, and many programs to reimburse medical professionals—doctors—are based on what we have for Medicare reimbursement. If we do not get Medicare reimbursement, it is a cyclical thing that winds up tearing down the whole system.

I say to my friend that I hope someone can come up with an idea during the night that would allow us to get this done. We are going to take up this bill, all these items permanently next week or at least most of it is for a year or so. That will give us time to complete all this business. Even though we passed the so-called jobs bill which extended the highway bill for a year, the House cannot get it done that quickly. They can move more quickly than we can, but they cannot move that quickly.

Again, I hope we can work something out in the next 12 hours or so. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. REID. Mr. President, I was going to propound a unanimous consent request.

Mr. BUNNING. Go ahead.

MEDICARE PHYSICIAN PAYMENT
REFORM ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 252, H.R. 3961.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

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

Mr. REID. Mr. President, there is a substitute amendment at the desk, and I ask unanimous consent that the amendment be considered and agreed to and that the bill, as amended, be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3331) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking “February 28, 2010” and inserting “February 28, 2011”.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking “February 28, 2010” and inserting “February 28, 2011”.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill, as amended, was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 3961), as amended, was passed.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I ask unanimous consent that the title amendment, which is at the desk, be considered and agreed to and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3332) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “An Act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.”.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I would like to go back past the original bill we just passed for the extension for a year and explain what my amendment did to the original text the leader was propounding. I paid for it, and I paid for it out of stimulus money.

We passed in this body just last week a pay-go that is extended to all the bills that come through this body. We passed a bill earlier this week on which we did not do pay-go. We did not pay for it—at least \$10 billion of it. The

cost of these extensions is another \$10 billion. That means that \$20 billion goes directly to the debt of this country.

We just extended the debt limit to over \$14 trillion. The reason I offered the offset that the leader objected to was so that my 40 grandkids don’t have to pay the bill. We cannot keep shifting our spending to our kids and our grandkids.

Believe me, I want to extend those provisions just as badly as the leader does, but we need to pay for them. That is the reason I offered my substitute to his original text.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, let me say this: The bill we passed today is fully paid for. There is no deficit spending whatsoever. In fact, everything was paid for. Every part of that was paid for. In passing that bill, there is not a cent of red ink.

It is my understanding that with this short extension we have tried to get done today, my friend from Kentucky believes it should be paid for by taking money out of the stimulus funds—

Mr. BUNNING. Unspent stimulus funds.

Mr. REID. Yes—and pay for it that way. It is my understanding that we are willing to have a vote on that. I say to my friend, I am pretty sure that is what your leader and I spoke about. I would be happy to have a vote on that.

Mr. BUNNING. Mr. President, I ask for time to speak.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. I have been here 24 years, I say to the Senator from Nevada.

Mr. REID. We came together.

Mr. BUNNING. And I have been fooled by some things and some things have gone past me and I woke up after it had already passed me. This is not one of those things that was going to do that. Of course, we can have a vote on it, and, of course, it can be defeated, and then, of course, we can pass the bill without the money. I am not willing to risk that \$10 billion being added to the deficit. I was not ready to risk voting on a bill I knew would not get the amount of votes necessary to pay for it. If the majority leader would have included it in his UC, I would have had no problems. But he did not include it in his UC. So that was the reason I asked to pay for it.

Mr. REID. Mr. President, I don’t want to delay this any longer than necessary. I don’t know how we could be more fair. I have not talked with my Democratic Senators, but I think there may be some Senators on this side of the aisle who agree with Senator BUNNING. That is why we are here.

Right now, we are in a very difficult predicament. I think it would be too bad if people whose unemployment insurance is being terminated—all we are asking for is a few weeks, and then after the extension it will give us time

to have this body and the other body make a decision by voting on it. We are asking for a short extension. My personal belief is that the extension of unemployment insurance is truly an emergency, as I indicated earlier, as I feel about COBRA.

I understand where my friend is coming from. I have never been a part of trying to fool him in any way intentionally. As I understand it, we are willing to vote on this legislation. If we are not able to work that out, I don’t know what can be more democratic than that. We are all elected to make our choices here. I would be happy, as I told the distinguished Senator from Kentucky, if he came up with some way we could proceed on this issue, to give every consideration to any proposal he would make.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF UNEMPLOYMENT BENEFITS

Mr. DURBIN. Mr. President, the last item of business considered on the Senate floor was an effort to extend several provisions of law that will expire either late Saturday night or Sunday. One of these provisions is the extension of unemployment benefits. It is well known across America that we have many people out of work. A lot of them have reached the point where their unemployment benefits are about to expire. I have met with many of those people in my State—in Springfield, in Chicago—and heard their stories, and they are sadly very similar. Many of them have exhausted whatever savings they had to try to keep their homes and their families together. They are literally living on unemployment insurance benefits.

Come Saturday or Sunday, thousands of people in my State and literally more than 1 million Americans will see their unemployment benefits stop; 65,000 people in Illinois will lose their unemployment insurance benefits if we do not extend this; 1.2 million Americans nationwide will lose their unemployment benefits.

It is all right for us to debate. It is certainly our job to offer amendments if we believe something should be