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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, Rev. John L. Beaver, who is the national chaplain for the American Legion.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty Father, we thank You for life, truth, and love which comes from You, for love because it embraces all of us and for Your comforting assurance that You are guiding our great Nation.

We humbly ask for Your light of wisdom to be given to each Member of the Senate so that they may discern what is truth from error. Guide and direct our beloved Senators from across this Nation with a compassionate heart in making difficult decisions. Father, help us to learn and to know Your will in all things.

Lord, we ask for Your protective shield around our military men and women. Be with their families as they wait eagerly for their safe return and give comfort to our wounded warriors in body, mind, and spirit. Comfort those who are now grieving the loss of their loved ones.

Bless all our veterans and military organizations who serve from their hearts. Strengthen us in heart, mind, and spirit as we serve You, our God, and our beloved Nation. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN 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, March 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

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

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

The legislative clerk proceeded to call the roll.

Mr. REID. 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.

ORDER OF BUSINESS

Mr. REID. Madam President, I have a few things to say, but it is my understanding that the distinguished Senator from Maine wishes to make a unanimous-consent request, so I will yield to her for that purpose.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Thank you, Madam President, and I thank the distinguished Democratic leader.

UNANIMOUS-CONSENT REQUEST— H.R. 4691

Ms. COLLINS. Madam President, on my own behalf and on behalf of numerous members of the Republican caucus who have expressed concerns to me, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4691, with 1 hour of debate equally divided between the leaders or their designees, and that following the use or yielding back of time, the bill be read a third time and the Senate proceed to a vote on passage.

Madam President, this is the House-passed bill that extends for 30 days the following expiring provisions: unemployment insurance, which is so important to those who are struggling—there are 500 Mainers whose benefits expired on Sunday; the COBRA health insurance extension subsidies for the unemployed; important flood insurance; highway funding; small business loans; the provisions of the American Recovery Act that include those small business loan provisions; the doctors fix. If we do not act, physicians all across this country are going to have a 21-percent cut in their Medicare reimbursements.

I hope we can act together for the American people. Again, I want to emphasize that this issue is so important to Senators on both sides of the aisle. Many of my colleagues have expressed concerns to me that this was not done last week when it should have been done. So, Madam President, I do propose the unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader is recognized.

Mr. REID. Reserving the right to object, Madam President, I appreciate the efforts of my friend, the Senator from Maine, and I would hope my

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



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friend, the Senator from Kentucky, would reconsider. His point has been made. It has been adequately made. I would hope he would let us proceed on this because it is more than meets the eye. We have people lined up all over the country in unemployment lines who would not be there but for this.

I would also say it is broader than even that. As my friend mentioned, we have problems with doctors who are now refusing to take Medicare patients.

We have a bill that is on the floor now in which we are going to try to make a long-term decision soon on this. I have offered my friend from Kentucky a right to vote on this—I would be happy to have a vote on this—that it be paid for. But it is really not appropriate to object without even allowing the Senate to work. We talk about voting. That is why we need to vote.

I say to my friend from Kentucky, you have made your point. You have made it well. I understand how you feel that this should be paid for. The majority of the Senate disagrees with you. Let us either vote on that or withdraw your objection.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BUNNING. There is. I object. And let me—

The ACTING PRESIDENT pro tempore. Objection is heard.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for 1 hour, with Senators allowed to speak for up to 10 minutes each. The Republicans will control the first half and the majority will control the second half. Following morning business, the Senate will turn to executive session to consider the nomination of Barbara Keenan to be a U.S. circuit judge for the Fourth Circuit, with the time until 12:15 p.m. equally divided and controlled between Senators LEAHY and SESSIONS or their designees. At 12:15 p.m., the Senate will proceed to a cloture vote on the nomination. That will be the first vote of the day, unless something comes up in the interim that necessitates a vote.

UNEMPLOYMENT BENEFITS

Mr. REID. Madam President, just a few words on what has been happening here recently. Certainly, there is an emergency. Our economy is suffering. There is not a State that is not hurting. Some States are hurting worse than others. This is a filibuster, and we are in the middle of a very important piece of legislation. I do not think it would be appropriate to take 10 days—is what it would take, a week or 10 days—to try to get a 30-day extension when we have all these other things that are waiting to be done that relate directly to this. It just is not appropriate.

What is a filibuster? If you look in the dictionary, Madam President—this was handed to me by the distinguished Senator from Michigan, Ms. STABENOW—if you look in the Oxford English Dictionary, a filibuster is a “freebooter. One of a class of piratical adventurers who pillaged the Spanish colonies in the West Indies during the 17th century.” A freebooter is “one who engages in unauthorized and irregular warfare against foreign states. A pirate craft.” In the United States: “To obstruct progress in a legislative assembly; to practice obstruction.” That is what this is all about—to practice obstruction. We are not preventing a vote. We are not preventing a vote. We want a vote to take place.

My friend from Kentucky has raised an issue. He thinks it should be paid for. I believe it is an emergency, as it always has been when people are out of work for long periods of time. It is an emergency. We should be able to vote on what the Senator feels is appropriate; that is, that this be paid for, that it is not an emergency. These long lines of people who are out of work is not an emergency is what he believes. I believe they are.

I think it is terribly inappropriate that this filibuster is being conducted. And to even make it worse, Madam President, we have people coming defending my friend from Kentucky. I will defend him on a lot of things but not on this. I think it is very out of line.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE

Mr. MCCONNELL. Madam President, the American people have spoken loudly and clearly on the issue of health care reform. They overwhelmingly favor a plan that addresses our problems step by step. They want a plan that lowers the cost of health care without expanding the role of government and without raising taxes or cutting Medicare. They want us to focus on cost.

Unfortunately, Democrats here in Washington either have not gotten the message or they are ignoring it. We know this because after a year of protests, three statewide elections in New Jersey, Virginia, and Massachusetts, and the clear verdict of every public opinion survey, Democrats in Washington are now planning one last-ditch effort to get their plan through Congress and past the American people.

The sad fact is that Washington Democrats are so wedded to the notion that they know better than the general public when it comes to health care that they are about to reject any pretense of bipartisanship in order to jam their plan through Congress by the

narrowest margin possible whether people want it or not—a raw exercise of legislative power that Senator BYRD, our resident Senate historian, has described within the last year as an undemocratic outrage on a piece of legislation this far-reaching.

Some on the other side are clearly worried about the consequences of taking such a drastic step. They are wondering whether they should risk the full fury of the public by using these extreme tactics to circumvent the will of their constituents. Democratic leaders are telling them not to worry. They are telling them people will forget about the process once their plan becomes law. Well, they are wrong. Americans are not going to forget if Democrats do this to their health care system.

Wavering Democrats need to realize that there is a better way. Last week, the President and other Democrats acknowledged a number of areas of agreement between the two parties. These are the ideas that could form the solid basis of a fresh start on health care reform. These are the ideas that could form the basis of the kind of step-by-step bipartisan reform Americans really want.

Americans do not want the one-party bill Democrats in Washington are planning to force on them, or any variation of it, and they do not want Democrats to push it through with even more backroom deals. Americans are already seething about the kinds of deals that were used to get the earlier version of this bill through Congress. The “Cornhusker kickback” and the “Louisiana purchase” became household expressions. But using reconciliation to jam this health care plan through would make the “Cornhusker kickback” look like an exercise in good government.

Using reconciliation to fundamentally change the health care of every American would be one of the most brazen single-party power grabs in legislative history. It would be the death of bipartisanship. And Americans will not stand for it. They know bills of this scope only work if they are done along bipartisan lines.

Medicare and Medicaid were created with the support of about half the members of the minority party. The Voting Rights Act passed with 30 Republican and 47 Democratic votes. Only Six Senators voted against the Social Security Act. Only eight voted against No Child Left Behind or the Americans with Disabilities Act. Only 12 voted against the Welfare Reform Act. Big bills are passed with big majorities, and rarely has there been a bigger bill than that. So if ever there was a time not to depart from a bipartisan approach, it is now—right now.

Democrats are saying they want a simple up-or-down vote on health care. What they want is to jam their vision of health care through Congress over the objections of a public they seem to think is too ill-informed to notice. If