



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, DECEMBER 1, 2009

No. 176

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Our Father God, author of liberty, as our governmental leaders face grave questions and perplexing problems so vitally affecting national welfare and world concord, we bow in reverence in Your presence. We acknowledge that it is because of You that we live and move and have our being.

Strengthen the leaders of our executive, judicial, and legislative branches to make their utmost contribution to the healing of the tangled tragedy of our troubled world. Through the lips that speak in this forum of freedom, Lord, speak to our Nation and world so that Your will may be accomplished on Earth. Heal the divisions which shorten the arm of our national might in this decisive season. Help our lawmakers to be patient and considerate one with another, as You give them reverence for truth and a passion for justice.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS 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, December 1, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,

President pro tempore.

Mr. BURRIS 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 the remarks of the two leaders, the Senate will resume consideration of H.R. 3590, the health care reform legislation. That will be until 11:30 a.m., for debate only. The Republicans will control the first 30 minutes, the majority will control the next 30 minutes. Any remaining time will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

At 11:30 a.m., the Senate will turn to executive session to debate the nomination of Jacqueline Nguyen to be a U.S. District Judge for the Central District of California. The vote on confirmation of that nomination will occur at 12 noon today. That will be the first vote today.

The Senate will recess from 12:30 to 2:15 p.m., to allow for our weekly caucus luncheons. Following the recess, the Senate will resume consideration of the health care reform legislation. Additional votes are expected this afternoon in relation to the health care legislation.

HEALTH CARE REFORM

Mr. REID. Mr. President, here are two truths about the historic health care reform bill that is now before this body. First, it will save money, it will save lives, and it will save Medicare. Again, the legislation before this body will save lives, money, and Medicare.

While this is a pretty good start toward that, the second fact is, there is always room for improvement for this bill. Of course, that is what the legislative process is all about. Senator BARBARA MIKULSKI of Maryland has offered an amendment that does both. Her proposal would improve this bill by making sure women get, at no cost, the preventive screenings they need to stay healthy. These are important screenings that can catch potential problems as early as possible and that will save lives and save money.

Health care premiums rise higher and higher every year. The insurance industry this year has already raised insurance rates an average of 10 percent—an average. Of course, this is far faster than incomes in this country, and that is an understatement. As this happens, more and more women are simply skipping the important preventive care they need. Why? They are skipping screenings for cervical cancer, they are skipping screenings for breast cancer, they are skipping screenings for pregnancy. They are even skipping annual checkups and doctor visits that could flag serious problems, such as postpartum depression and domestic violence.

Why is this happening? Do women simply care less about their well-being? Of course not. Are diseases on the decline? Quite to the contrary. The only reason women are putting off going to the doctor is because, in our broken health care system, it simply costs too much to stay healthy.

Senator MIKULSKI's amendment also makes clear that the decision of whether and when to get a mammogram

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



Printed on recycled paper.

S12019

should be made by a patient and a doctor. It shouldn't be made by an insurance company, by Members of Congress or by someone you have never met. No matter what independent task forces recommend and no matter what some Republican Senators falsely claim, this legislation—the one before this body—offers free preventive services to millions of women who are being discriminated against by their insurance companies, and this amendment before this body makes that absolutely clear.

Senator MIKULSKI has long been someone who has been a leader and has looked out for women's health. Years ago, she worked with me on a problem women have; 90 percent of the people who have a disease called interstitial cystitis are women. I discovered that when three women came to visit me in Las Vegas. It was a disease that was ignored. People thought it was psychosomatic. Working with Senator MIKULSKI, we had the National Institutes of Health set up a protocol. Now 40 percent of those people, who previously were thought to be psychosomatic and who suffered with symptoms they described as shoving slivers of glass up and down their bladder, are symptom free—not 100 percent but 40 percent. It is easier to diagnose now.

Senator MIKULSKI has also worked hard to have the National Institutes of Health set up a division for women's health problems. So she is a leader in this area, has been for a long time, and with this amendment she does it once again.

I am sorry to see Republicans deliberately confuse the facts about women's health, particularly as they relate to mammograms. It shows how desperate some of them are to distract the American people from the real debate and from the fact they have no vision for fixing our health care system, which is so broken.

I am even more sorry to say it is part of a larger trend. In recent days, they have been distorting the data from the Congressional Budget Office, an independent agency Republicans in the past have praised. What are they complaining about now, the Republicans? They are complaining about two of this Nation's top priorities: reforming our health care insurance system and helping our economy recover.

First, on health care. The Congressional Budget Office said yesterday the majority of American families who buy insurance in the new marketplace we will create—what we call health insurance exchanges—will see their premiums go down. They will go down by as much as 60 percent. Out of 100 percent of the American people, 93 percent will have a drop in their insurance premiums with this legislation—93 percent.

CBO's experts aren't the first to recognize these benefits. Massachusetts Institute of Technology's Jonathan Gruber, who is one of the most respected economists in the world, said in today's Washington Post:

Here's a bill that reduces the deficit, covers 30 million people and has the promise of lowering premiums in the long run.

Pretty good statement. That means millions of Americans who today cannot afford coverage or whose medical bills drive them to financial ruin. Remember what I said yesterday as this debate began. Last year, 750,000 people in America filed for bankruptcy. Almost 70 percent of the bankruptcy filings were because of health care costs. But of those people who filed for bankruptcy because of health care costs, 62 percent of them had health insurance. Does that speak about a system that is in trouble? Of course it does.

So I repeat: This bill will mean millions of Americans who today cannot afford coverage or whose medical bills drive them to financial ruin will be able to afford to stay healthy. It means, if we don't reform health care, millions more will find themselves in bankruptcy, bad health or worse.

Second, on economic recovery. The Congressional Budget Office said yesterday the extraordinary steps we took to bring our economy back from the brink have created and saved hundreds of thousands of jobs. I will direct my comments to the American people but also to the brave Republicans who joined with us to make this possible—Senators SNOWE and COLLINS. I want them to know that what they did helped us get that legislation passed and, according to the Congressional Budget Office, saved hundreds of thousands of jobs. The CBO said yesterday the extraordinary steps we took to bring our economy back from the brink have created or saved hundreds of thousands of jobs. Its estimate reaches as high as 1.6 million jobs, each one a direct result of our economic recovery plan. Pretty good. The same report also said our country's gross domestic product has gone up by as much as 3.2 percentage points higher than it would have if we hadn't acted.

Let us not do what our colleagues on the other side of the aisle are doing—betting on failure. This country is coming out of a hole that was dug by this administration for some 8 years. The facts are that what we did on a bipartisan basis in January and February has brought this country out of an economic hole. We still have a ways to go, no question about it. But we created 1.6 million jobs and increased the gross national product by as much as 3.2 percentage points. Pretty good. These facts tell us the same thing: Not acting is not an option.

Some of my Republican colleagues prefer to close their eyes and ears to this reality. They prefer to play politics than to do what is right and what is necessary. They are content to say no, instead of offering constructive alternatives and a way to lead our country and our constituents back to health.

At the beginning of this second day of debate, I say: Come along and work with us to improve this legislation. Try

to improve it the way Senator MIKULSKI looked at it and said: This legislation can be improved. We want to work with the minority. We want to have legislation that is bipartisan. We don't want to do this alone. We need the Republicans' help, and I hope they will join with us. It would certainly look better. Let's stop berating this legislation before this body. If they do not like it, try to do something to make it better.

As we know, this legislation saves lives, it saves money, it saves Medicare, and it brings down insurance premiums. That is a pretty good deal. And it brings down the debt. It saves \$130 billion over the next 10 years and, after that, \$650 billion. Not bad. So the numbers they keep talking about are out of—I don't know where they come from. We, as a body, have used the Congressional Budget Office for 50 years. It is bipartisan. That is the way it should be. We should start talking real numbers, not fake numbers.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, certainly in a country of 300 million people there are differences of opinion, and you will see them on full display in the Senate on this monumental 2,074-page scheme that would expand the reach of government deeper into our lives, raise taxes, increase health care premiums, and cut Medicare for seniors.

On the other side are the American people. We know, from all the surveys we have seen, the American people are opposed to this bill. They are astonished that we are trying to pass a bill that is clearly opposed by the American people in every survey that has been published.

Americans do support reform, but this isn't the reform they were asking for, and it is not the reform they were told they could expect. In fact, it is pretty clear by now that the American people were sold a bill of goods when the administration and its allies in Congress said their health care bill would lower costs and help the economy because the plan that has been produced, that is before the Senate, will not do either.

The debate is no longer about improving care by reducing costs. We are past that. This plan will raise costs on American families, and it will make an already struggling economy even worse. The only question now is how we got to a point where we are actually considering spending trillions of dollars on a brand new government entitlement at a time when more than 1 in 10 Americans is looking for a job and when our debts and deficits are well past the tipping point.