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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

### PRAYER

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

Let us pray.

O, God of light shining in darkness, O, God of hope lifting from despair, we turn our thoughts to what You have done in our lives, what You are doing, and what You promised to do in the days to come. Let our gratitude for Your grace rise up in joy and praise to Your throne.

Lord, use the talents of our lawmakers for Your purposes. Inspire them to dedicate their abilities to You to be used in faithful service. Show them how to maximize their opportunities to bring justice, equality, and peace to our Nation and world. Empower them to enable justice to prevail over injustice, reconciliation to replace conflict, and caring to replace apathy. Lord, give them a sense of destiny and a deep dependence on Your guidance. Strengthen their desire to have congruity between beliefs and behavior as they seek to live worthy of their privilege.

We pray in the Redeemer's Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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, October 8, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. PRYOR 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 leader remarks, the Senate will proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first 30 minutes. The majority will control the second 30 minutes.

Following morning business, the Senate will resume consideration of the Commerce, Justice, Science Appropriations Act. We hope to reach short time agreements on available conference reports. Senators will be notified when any votes are scheduled during today's session of the Senate. Senators SHELBY and MIKULSKI feel we can finish the bill that we are working on today.

### FINANCE COMMITTEE CBO REPORT

The Finance Committee report came out yesterday from CBO. It was outstanding, \$81 billion, bending the curve. That bill will be voted on by the Finance Committee on Tuesday morning. It will be reported to the Senate.

Since Harry Truman was President, Democrats have fought to make it

more affordable to live a healthy life in America. Every day we come closer to achieving that goal. Yesterday was a landmark occasion. Yesterday the non-partisan Congressional Budget Office confirmed that the Finance Committee plan, which is one of the five plans in Congress to reform the way health insurance companies treat people in this country, will reduce the deficit.

It did not say it will keep the deficit the same. It did not say it will increase it, not even by one penny. It said, in black and white, that the Finance Committee's bill will reduce our deficit, not just in the short term but over the long term as well.

That is something progressives, conservatives, and Independents, everyone in between, can be thankful for and can applaud. Today we stand closer than ever to fulfilling that fundamental promise, the one for which we have fought more than 60 years. We stand closer than ever to fulfilling the cause of Senator Ted Kennedy.

But as anyone who has even superficially followed the debate knows, the route to realizing Senator Kennedy's dream is far from smooth sailing. There are still those who will not rest until the American people are denied the change they demanded, those who will not be happy unless the status quo is sustained. There are those who still want to pick fights against us, even though we are interested only in fighting for hardworking American families. There are those who consider this a zero sum game and will only declare victory if President Obama concedes defeat. So let me be very clear. Just as Democrats believe in ensuring quality, affordable health care for every American citizen, we believe equally as strongly that this country has no place for those who wish for its leaders to fail.

Just as yesterday brought us another step closer to real reform, it also brought us another round of Republican excuses, from the Republican

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



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leadership on down. The other side remains trapped in its strategy of distortion, distraction, and deception. Yesterday on the Senate floor, the Republican leader asked rhetorically: What happens to Medicare under our plan? Well, let me answer that question. Under our plan, seniors pay less for their medicine. Under our plan, seniors pay nothing for their annual checkup. Under our plan, seniors pay nothing for preventive care. And, under our plan, doctors who treat seniors get a raise.

But the other side is not letting those facts get in the way of a good sound bite. Instead, yesterday on the Senate floor, the Republican leader said: Our plan will cut Medicare. What he did not bother to say is that the only thing we are cutting is the waste rampant in that system, waste that you as a taxpayer pay in every paycheck.

Yesterday on the Senate floor, the Republican leader said: "Republicans have tried to protect Medicare throughout the debate."

Listen to that one: "Republicans have tried to protect Medicare throughout the debate."

What he did not bother to say is that this debate is also the first time in history Republicans ever found such an interest. The fact is that ever since Senate Republicans opposed the creation of Medicare, they have spent the past 40 years on the wrong side of history when it comes to helping seniors.

In the past 10 years, Republicans have voted against protecting and strengthening Medicare 59 times. When President Bush vetoed the Medicare Improvement Act last year, the only Senators who supported that disastrous veto were his fellow Republicans here in the Senate. So the American people can be excused for not buying the Republicans' eleventh-hour claim that they are the true guardians of seniors' health care.

It is telling that after weeks of negotiations, months of debate, and decades of national movements for health insurance reform, this is the best they can come up with. It is telling that one of their most oft-repeated arguments protests not the contents of the bill but now the number of the pages of the bill. How is that for criticism: The bill has too many pages.

Let's not forget the Republicans only offer arguments in response to our plan to make health care more stable and more secure. We have yet to hear any Republican arguments in support of their own health care ideas. Why? Because there are not any. They do not exist.

The Republican plan is nothing more than the status quo. Under the Republican plan, insurance companies can continue to deny a person coverage when they need it the most. Under the Republican plan, insurance companies can deny you coverage because you have high cholesterol or hay fever or even heart disease.

They can raise your rates because you are getting older, because your dad

had prostate cancer, or simply because you are a woman. Under the Republican plan, if you have health insurance, your family has to pay at least \$1,000 a year more to cover all of the other families who have none.

Republicans in Congress are the only ones who support that plan. The rest of the country knows we need to act and we need to act now. Here is a list of those who support our plan to improve our health insurance in the short term and the long term alike: doctors; hospitals; the pharmaceutical industry; a bipartisan group of Governors; President Obama, who has made fixing health care his top priority; Democrats in Congress who are committed to getting it done this year; and, at the top of that list, the American people, 9 of 10 of whom say high health care costs are hurting their families, crushing their families.

In recent days, prominent, courageous, independent-minded Republicans throughout this country have added their names to that list of people who are crying for health care reform. Arnold Schwarzenegger, the Governor of a State with 38 million people, the most populous State in the Union; Michael Bloomberg, the mayor of the most populous city in the country; Bobby Jindal, the Governor of Louisiana—Republicans asked him to provide their party's response to President Obama's first ever address to Congress—Tommy Thompson, former Governor of Wisconsin, former Secretary of Health and Human Services under President Bush; Mark McClellan, former head of the Centers for Medicare and Medicaid Services under President Bush; Bill Frist, former Senate majority leader and a physician who said last week, if he were still in the Senate, he would vote for health insurance reform; and, Bob Dole, today, announced that he supports something being done. This former majority leader and Republican nominee for President this week encouraged his party to drop their "just say no" strategy. He was even stronger in his statements today.

Here is a list of those who think things are just fine the way they are: Republican leaders in Congress. That is it. That is the list. And that is the real match-up in this health care debate. It is clear to see who is listening to the American people, who has tuned them out.

Democrats are willing to listen not only to the American people, we are also more than willing to listen to congressional Republican ideas, if they offer any, to move this debate forward. We would be happy to end up with a bill that does not rely on 60 Senators but one that can earn a lot more.

But until that happens, until Republicans in Congress show they want to be productive partners rather than partisan protesters, we will continue to do what the vast majority of the American people demand that we do; that is, continue moving forward to improve a badly broken system.

I agree with President Obama who told Congress last month: We have no patience for those who seek more of the same failed ideas. We have no patience for those who contribute only criticism and not constructive input. We have no patience for those who mischaracterize our plan or mislead the people, and will call them out when they do.

That is what the speech was all about. We believe this because we believe the American people deserve to be told the truth. We believe hard-working families already have enough real problems to worry about without having their time wasted with fake problems. We believe this country is no place for those who hope for failure, failure of their leaders.

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#### RECOGNITION OF THE MINORITY LEADER

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

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#### HEALTH CARE: WEEK XII, DAY II

Mr. MCCONNELL. Mr. President, yesterday morning, our friends across the aisle came to the floor to defend the health care plan that they and their colleagues are pushing through Congress—a plan that has as its foundation a trillion dollars in spending, half a trillion dollars in cuts to Medicare, higher premiums, higher taxes on just about everyone at a time of near double-digit unemployment, and limits on the health care choices that millions of Americans now enjoy. Later in the day, we got a cost estimate. It is irrelevant. The bill it is referring to will never see the light of day.

What matters is that the final bill will cost about a trillion dollars, vastly expand the role of government in people's health care decisions, increase premiums, and limit choice.

For months, Republicans have taken every opportunity to talk about the kinds of commonsense reforms we need and that Americans actually want. Personally, I have spoken just about every day we have been on the floor since June about step-by-step reforms to lower costs, commonsense ideas that we should all agree on like malpractice reform, equalizing the tax treatment for businesses and individuals, and prevention and wellness programs—all of which would get right at the heart of our health care problems.

We have talked about these things because they address the problems we have, problems of cost and access, without limiting the choices Americans now enjoy. We have talked about these things because these are the reforms Americans want.

I have spoken about reform 43 times on the Senate floor. Yet some don't seem to be listening. And this is precisely the problem Americans have identified with some of the advocates of the Democrats' health care plans.