

What are we doing? Providing more burdens on small businesses and expecting them to hire more people. This is so counterintuitive that the American people certainly see what is happening.

Those are all the taxes. The other side is the cuts to Medicare. The Senate bill includes \$½ trillion in cuts to Medicare over 10 years, including \$135 billion in cuts to hospitals. The Medicare Program is unsustainable. The Chief Actuary of Medicare has said as much as 20 percent of Medicare's providers will either go out of business or will have to stop seeing Medicare beneficiaries. Millions of seniors, including those who have chosen Medicare Advantage, will lose the coverage they now enjoy. Medicare is being used as a piggy bank, and it needs every penny that has been deposited. We cannot reform all of the health care system on the backs of our seniors. Cuts to hospitals will threaten access for seniors.

We have been asking the leadership of Congress to scrap this bill and work with Republicans to achieve the reform that Americans want, reform that will reduce costs, increase competition, and improve access. This bill achieves none of that. I cannot understand why the President chose to base his proposal for reform on the Senate bill that was passed by the Senate, but the American people have consistently opposed it. Every poll shows the American people do not want the Senate bill. They saw it for what it was, a failure.

I hope the Members of Congress who are being cajoled into voting for this bill will listen to the American people. They do not want the government to take over their health care. They want affordable access, and that means we have to bring the costs down and give more options.

Let's talk about the right kind of reform, what Republicans are putting on the table: more choices. How about allowing small businesses to pull together so their risk pool is increased and costs are lowered; and create an online marketplace where the public can easily compare and select insurance plans. But it would be a marketplace that is free from mandates and government interference. The one that is in the Senate bill had so many mandates and so many requirements that the costs are going to be out of sight.

So what happens? In comes the government plan to supplant the new higher cost options because of all the taxes that have been put on the companies that are trying to provide health care.

No. 2, how can we reduce costs and lower expenses? For one thing, we could reform our litigious system of tort law that punishes doctors and hospitals. It drives physicians away from the practice of medicine. Tort reform alone could save at least \$54 billion. That is the low end of the projections of what tort reform could save.

No. 3, we could lower the cost to taxpayers by giving tax incentives to encourage the purchase of health insurance. We do not have to have a government takeover, and we don't have to have new taxes. Let's give incentives, tax breaks for individuals and families who will buy health insurance. We will help them have affordable access. Senator DEMINT and I have a bill that would offer a voucher to families: \$5,000 for a family to purchase their own health insurance, to go on the exchange, to determine what they can afford, to determine what their needs are, and it is not tied to their employer so it is portable, so it is theirs and they own it. No preexisting conditions would ever keep them from having that policy again, and they could take it to whatever employer they decided to work for. They would not be tied to employment for health care coverage.

These are options the Republicans have given to the majority to ask them to consider in a bill that would reform health care in the right way.

I urge my colleagues to listen to their constituents. Their constituents are speaking in volumes at a time when we are seeing political games being played on the House side to strong-arm people to vote for a bill that their constituents do not want, and then they are going to send it over to the Senate with a new bill that is going to, supposedly, correct the problems in the Senate bill—except that we will still have the taxes, we will still have the increased costs, we will still have the cuts to Medicare. All of that will remain. It is a flawed bill.

Please, Members of Congress, listen to your constituents and let's start again and do this right. That is what the American people are asking for. It is the least that we owe them: not to pass a bill that is going to destroy one-sixth of the American economy and take away the choices that Medicare patients have, cut the services of Medicare, and tax every employer and every family whether they have not enough health insurance, no health insurance, or too much health insurance. They are going to be taxed no matter which way they go. That is not health reform. That is a government takeover of a system that needs improvement, but not killing.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 and reassembled

when called to order by the Presiding Officer (Mr. BEGICH).

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1586, which the clerk will report.

The legislative clerk read as follows:
A bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

Pending:

Rockefeller amendment No. 3452, in the nature of a substitute.

Sessions/McCaskill modified amendment No. 3453 (to amendment No. 3452), to reduce the deficit by establishing discretionary spending caps.

Lieberman amendment No. 3456 (to amendment No. 3452), to reauthorize the DC opportunity scholarship program.

Vitter amendment No. 3458 (to amendment No. 3452), to clarify application requirements relating to the coastal impact assistance program.

DeMint amendment No. 3454 (to amendment No. 3452), to establish an earmark moratorium for fiscal years 2010 and 2011.

Feingold amendment No. 3470 (to amendment No. 3452), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENTS NOS. 3472, 3475, 3527, AND 3528 TO AMENDMENT NO. 3452

Mr. MCCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and that I be allowed to call up four amendments that are at the desk. They are amendment No. 3472, Amendment No. 3475, an amendment that has been at the desk on FAA reauthorization and—they are all at the desk—and the fourth concerns the Federal Aviation Administration finance proposal for development and implementation of technology for the Next Generation Air Transportation System.

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

The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes amendments en bloc numbered 3472, 3475, 3527, and 3528 to amendment No. 3452.

Mr. MCCAIN. Is amendment No. 3528 on the Grand Canyon National Park?

The PRESIDING OFFICER. Yes, it is. The amendments are as follows:

AMENDMENT NO. 3472

(Purpose: To prohibit the use of passenger facility charges for the construction of bicycle storage facilities)

On page 29, after line 21, insert the following:

SEC. 207(b) PROHIBITION ON USE OF PASSENGER FACILITY CHARGES TO CONSTRUCT BICYCLE STORAGE FACILITIES.—Section 40117(a)(3) is amended—

(1) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii);