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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

O God, our refuge and strength whose compassion encompasses humanity and whose mercy never fails, empower our Senators to be partners with You in Your redeeming purposes for this Earth. Remind them that the only greatness they will ever know is linked to Your transforming might. As they strive to please You, make them seekers after peace, justice, and freedom. Transform this storied Chamber of our legislative branch into a place of vision, a lighthouse of hope, and a source of solace for those battered by the raging floods of life. May the Members of this body become architects of a new order of peace and justice for the people of our world.

We pray in your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 16, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND 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. Madam President, following leader remarks, there will be a period of morning business today for 1 hour. The Republicans will control the first 30 minutes, and the majority will control the second 30 minutes.

Following that morning business, the Senate will resume consideration of the Defense bill. Today we have two matters that are pending. One is the F-22. In the bill there is a provision to provide an extra \$1.75 billion for more F-22s. Senators LEVIN and MCCAIN, the two managers of the bill, have offered an amendment to strike that. I would hope we can have a vote on that today. That has been pending for several days. In addition to that amendment, we will have a vote in the next 14 hours on the hate crime amendment to this legislation. We can either do it earlier today or after midnight tonight, but we are going to do it before we adjourn here today.

HONORING THE CAPITOL POLICE

Mr. REID. Madam President, I have five children. As they have grown, we have moved on a number of occasions. But I have been able to keep, as one of my prized possessions and bring back memories of my younger days, a number of things. If you have children, as

the Presiding Officer knows, it is hard to keep things from being broken or misplaced. But I have a number of things I have been able to keep. One is the badge I wore when I was a Capitol policeman here on Capitol Hill. I still have that. It is in my conference room, and occasionally I will look up and see it. It reminds me of my days here in a different capacity as a police officer.

I came to Washington, DC, as a young man to get my law degree. I had a wife and a little baby. I worked from 3 to 11 every night except Sunday. I went to law school full time. But my time as a Capitol policeman was something I will always remember. We did not have the training the police officers have today. That is a gross understatement. We had very little training. But I carried my six-shooter and my uniform, of which I still have some pictures. I am very proud of that. I did not do anything dangerous. I have said here on the Senate floor before, the most dangerous thing I did was direct traffic. I say that because the old streetcar tracks caused the cars to bounce around, and you sometimes would wonder if they would get you because they were going fast up Constitution.

So having had little experience as a police officer, in the sense that we now see these police officers protecting us, I have a deep and genuine appreciation for the sacrifice the men and women who are Capitol police officers make. When I was a Capitol policeman—all men, no women. But now, all over the Capitol complex, there are hundreds of women who help protect us.

The reason I make this brief introduction is yesterday afternoon, our Capitol police once again did their jobs with great bravery and skill. Fortunately, this came at such an interesting time. Next week, a week from tomorrow, we are going to have a ceremony here in the Capitol, as we do every year—I believe this is the 11th year—where we recognize the bravery

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



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of two Capitol police officers who were killed, Officers Chestnut and Gibson.

Gibson I knew. We were on a Senate retreat in Virginia, and my wife became ill. Gibson is the man who ran with all of the paraphernalia to make sure she was going to be OK. He was profusely perspiring. I can still remember very clearly this wonderful hard-working man. He came to save my wife.

Well, these two officers were killed. In the process of their being murdered by a madman, we do not know how many people's lives were saved in the Capitol complex. But it was the impetus that caused us to complete this great Capitol Visitor Center that we have, in the sacrifice that they certainly did not intend to make but they did make because of their training and skill.

Yesterday, an armed man fled a traffic stop, driving erratically around Capitol Hill. We do not know all of the details, but we do know that he struck a parked car, we understand now a motorcycle and a police car, a Capitol police car, and he almost ran over two police officers.

But when he got out of the car, a block from where we are right now, he came with an Uzi-type weapon, semi-automatic weapon, and started firing at the police and anyone else around them.

Fortunately, the Capitol police officers stopped him before he had a chance to do any harm. He was shot numerous times as was required under the circumstances. But the interesting part about this is what did the police officers do when the firing stopped, when they could no longer hear the bullets. They immediately ran over and administered first aid to this domestic terrorist. They tried to save the life of a man who seconds earlier tried to take theirs.

I do not know how we define heroism, but I think that is a pretty good description. An investigation is, of course, underway. We do not know all of the details, nor can we know how many lives these officers saved yesterday. And we cannot sufficiently thank them for what they did. But on behalf of the entire Senate, we appreciate each of them. I admire what you do. Wherever we go on this Capitol complex, there are people looking over us. That is not the way it always was, but now with terrorism, with there being a war that is being waged against our great country, we have had to have all of these police officers protect not only us but all of the people who come here on a daily basis.

We have people whom we can see in uniform. We have people we do not know are police officers; they are in plain clothing. We deeply value the honorable work these men and women do for us every day, putting their lives on the line to protect people they do not know.

RECOGNITION OF THE MINORITY LEADER

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

HONORING THE CAPITOL POLICE

Mr. McCONNELL. Madam President, I join my colleague, the majority leader, in extending my appreciation this morning to our marvelous Capitol police force. We were reminded in a very vivid way yesterday that they are on constant alert and that they are in constant danger.

Fortunately, incidents such as the one that took place yesterday are rare. We are all glad for that. And we are glad we have such a professional, well-trained, and courageous group of men and women to keep us safe day in and day out. They are always ready. On behalf of the entire Senate family, I want to express my appreciation for their hard work and their courage in the line of duty.

HEALTH CARE WK VI, DAY IV

Mr. McCONNELL. Mr. President, for the past several weeks I have come down to the Senate floor just about every day we have been in session, and I have brought a simple message: Americans want health care reform, and both parties want to deliver that reform. What Americans do not want is a government takeover masked as a reform that leaves them paying more for less. And they don't want us to rush something as important and as personal as health care reform just to have something to brag about at a parade or a press conference.

So it was perplexing to hear the President say yesterday that the "status quo . . . is not an option." I cannot think of a single person in Washington who disagrees with that statement. No one is defending the status quo, no one. What we are defending is the right of the American people to know what they are getting into: the exact details and the cost.

That leads me to another distressing aspect of the administration's approach to this debate, the artificial timeline for reform. The President has said he wants to see a health care reform bill out of the Senate in 3 weeks and on his desk in October. His rationale seems to be the same as it was during the debate over the stimulus. The economy's in bad shape, so health care reform has to happen right away.

Certainly the two are connected. But the problem is that many of the Democrat proposals we have seen would not make the situation better, they would make it even worse. And due to our current financial situation, we need to be even more careful about how we spend our money, not less. We saw the consequences of carelessness on the stimulus bill. We rushed that, and Americans got burned. We must not make that mistake again.

But we can start with a point of real agreement: Americans want reform, but they want us to be careful.

An artificial deadline virtually guarantees a defective product—virtually guarantees a defective product. Look no further than the drafts coming out of the House and Senate this very week. Both of them are shot through with weaknesses and deficiencies typical of a rush job. First, they cost way too much. According to early estimates, the House bill would cost more than \$1 trillion over the next 10 years and yet—listen to this—it still wouldn't cover all the uninsured; \$1 trillion and it wouldn't cover all the uninsured. It includes a new tax on small business that could keep companies from hiring low-wage employees. It creates a new nationwide government-run health plan that could force millions off their current insurance. One of the worst parts is that advocates of the House bill want small businesses and seniors to pay for it; small businesses and seniors they want to pay for it. Businesses would pay through new taxes, seniors through cuts to Medicare, cuts that hospitals in my home State simply cannot sustain.

I have talked to the hospitals in Kentucky that are worried about the impact these Medicare cuts would have on the services Kentucky hospitals currently provide to seniors. I encourage all of my colleagues to talk to the people who care for patients day in and day out at hospitals in their own States and see what they have to say about this proposal. It may be a lot different than what some of the interest groups here in Washington are saying.

Small businesses are worried too. At a time when the unemployment rate is already approaching 10 percent, the new tax on small business will inevitably lead to even more job losses. Business groups across the country that have seen the details of the House bill are warning that it would certainly kill jobs. Under the House bill, taxes on some small businesses could rise as high as roughly 45 percent. Let me say that again: Taxes on small business up to 45 percent, meaning their tax rate would be about 30 percent higher than the rate for big corporations. So small businesses, which have created approximately two out of three new jobs over the past decade, get a bigger tax increase than big corporations. It is worth asking why small businesses, which created about two-thirds of the new jobs in this country over the last 10 years, get hit so hard under the House bill. Is it because they can't fight back as hard as big businesses? Either way, the House bill would lead to some small businesses paying higher taxes than big businesses, even though the U.S. corporate rate for all of our corporations is already one of the highest in the world.

The Senate bill is as bad. As currently written, the HELP Committee bill would increase the Federal deficit by at least \$645 billion, at least that