

### 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 resume consideration of H.R. 3590, the health reform bill. There will be 5 hours for debate prior to votes in relation to the following amendments and motion: Baucus, Crapo, Dorgan, Lautenberg. We can never determine for sure, Mr. President, but it appears the votes should start between 5 and 6 o'clock. The Senate will be in recess from 12:45 until 3:15 p.m. today for the weekly caucus luncheons.

### RECOGNITION OF THE MINORITY LEADER

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

### HEALTH CARE REFORM

Mr. McCONNELL. Mr. President, with Americans now really focusing in on the health care debate, it is important to take a step back and recall where we started because somewhere along the way, Democratic leaders took their eyes off the ball.

It is a good time to remember what this reform debate was all about. The goal of this legislation, by all accounts—everyone agreed—the goal was to lower the cost of health care. This is what the President had to say. It is a direct quote:

The bill I sign—

According to the President—  
must . . . slow the growth of health care costs in the long run.

That was on July 22 of this year. Yet here we are, nearly 5 months later, and the administration's own scorekeeper, the CMS Actuary—the Centers for Medicare and Medicaid Services Actuary—says the Democratic bill will actually drive costs up, exactly the opposite of what the debate was all about in the beginning, and exactly opposed to what the President indicated on July 22, that he would not sign such a bill.

Now, remember, the purpose of reform was to lower people's insurance premiums as well. Here is what the President had to say about that, a direct quote:

I have made a solemn pledge—

Said the President—

that I will sign a universal health care bill into law by the end of my first term as President that will . . . cut the cost of a typical family's premiums by up to \$2500 a year.

That was the President campaigning for President on June 24, 2007, "a solemn pledge that I will sign a universal health care bill into law . . . that will . . . cut the cost of a typical family's premiums by up to \$2500 a year."

Yet now we are being told by the administration's own nonpartisan scorekeeper—again the CMS Actuary—that new fees for drugs, devices, and insurance plans will drive up insurance premiums.

The purpose of reform was also to ease the burden on taxpayers. Here is what the President had to say about that:

No family making less than \$250,000 a year will see any form of tax increase.

That was the President on September 12, 2008: "No family"—not a one—"no family making less than \$250,000 a year will see any form of tax increase."

Yet now we are told by the independent analysts, such as the Joint Committee on Taxation, that taxes will actually go up on those same taxpayers, those making under \$250,000 a year.

People who like the plans they have were told they would be able to keep them. Here is what the President had to say about that:

If you like your current plan—

"If you like your current plan"—

you will be able to keep it.

Then he said:

Let me repeat that: If you like your plan, you'll be able to keep it.

That was July 21, 2009, just this summer. Yet now we are told by the independent analysts, such as the Congressional Budget Office, that millions of Americans will lose their employer-based coverage and that millions of seniors will see their extra benefits cut by about half.

Americans are looking at this, and they are truly outraged. The American people are outraged at what is happening. They cannot understand what we are doing. The latest CNN poll says 61 percent of Americans oppose this bill; 61 percent of the American people are saying don't pass this bill.

This bill is completely out of touch with the American public. Think about it: 1 out of 10 working Americans is looking for a job, and Democratic leaders in Washington want to spend \$2.5 trillion on a bill that makes existing problems worse. Mr. President, 1 out of 10 Americans is out of work, and yet the majority seeks to pass a bill that makes the existing problems worse. Yet Democratic leaders in Washington are still insisting that we pass this bill.

Even as opposition grows, supporters of the bill are drafting plans and cutting deals to make this bill the law of the land by Christmas—ignoring the wishes of the American people, off in a room somewhere, cutting plans and making deals, trying to figure out some way to jam the American people when they are asking us, overwhelmingly: Please don't pass this bill.

You get the impression that the supporters of this bill think it is about them, about them and their legacies. Well, this is not about them. This is about the American people. This is not about making history. This is about doing the right thing for every single American's health care.

Americans have a message: Higher premiums, higher taxes, higher health care costs are not what they signed up for. This is not what they were promised. This is not reform. Yes, doing nothing is not an option, but making current problems worse is worse.

### TRIBUTE TO JACKIE HAYS

Mr. McCONNELL. Mr. President, I rise to wish a fond farewell to one of the Nation's finest television news anchors, Louisville's own Jackie Hays. After more than three decades in broadcasting, most of it spent in Louisville, Jackie will be retiring, and people throughout Louisville and across Kentucky are sorry to see her go.

The level of respect Jackie has earned in the community is reflected in the many awards she has won over the years. She has received 16—16—Best of Louisville awards, including numerous honors as Best Female News Anchor.

In 2005, she was named "Best of the Best" by Louisville Magazine. She has also received the Star Awards from the Women in Radio and Television, and Emmy nominations for her work both in Louisville and Philadelphia.

Jackie has had a lot of wonderful experiences in her career, all in pursuit of getting the best story for her viewers. She reported live from the scene of the bombing at the 1996 Summer Olympics in Atlanta. She interviewed two Presidents; one of them was Ronald Reagan over lunch. And, of course, she has been a fixture in many Louisville homes on the first Saturday of every May, as she has anchored coverage of the Kentucky Derby 25 times.

Once she went up in an F/A-18 Hornet with the Blue Angels, a U.S. Navy flying acrobatic team that has performed in the Kentucky Derby Festival. She flew at 600 knots—that is nearly 700 miles an hour—and was subjected to seven times the normal force of gravity. She may have blacked out briefly with all that force—as the instructor told her most people do—but for the thrill of the ride, and to better tell the story to her viewers, she says it was worth it.

Jackie was born in Paris, TN, right over the border from Murray, KY, and she attended Murray State University on a special Presidential academic scholarship. She was named the outstanding senior in radio and television and began her broadcasting career at a Paducah station while still a senior in college.

After graduating with highest honors, she went on to a full-time position, until moving to Louisville in 1980 to work for WHAS Television. After 5 years, she briefly went to work in Philadelphia, but in 1988 she returned to Kentucky and River City where she has stayed ever since.

For the last 21 years, since returning to Louisville, Jackie has been with WAVE-3 News. She is currently the anchor of that channel's 5 p.m. and 6 p.m. newscasts.

After 32 years in broadcasting, Jackie has earned a well-deserved rest, and I know she is looking forward to spending more time with her husband Paul, their two daughters, and their dogs. Jackie and Paul are avid horse riders, and I hear they just got a new horse named Chipper.

But Jackie will be greatly missed by the people of Louisville and the surrounding area. Every day, through the television, viewers have welcomed her into their homes. Now we should stop and recognize that we have welcomed her into our community and our lives as well. So I just wanted to take this moment to thank her for her incredible career on behalf of Kentuckians everywhere.

Mr. President, I yield the floor.

#### SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3590, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to modify the first-time home buyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

Pending:

Reid amendment No. 2786, in the nature of a substitute.

Dorgan modified amendment No. 2793 (to amendment No. 2786), to provide for the importation of prescription drugs.

Crapo motion to commit the bill to the Committee on Finance, with instructions.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 5 hours for debate, with 2 hours equally divided between the Senator from Montana, Mr. BAUCUS, and the Senator from Idaho, Mr. CRAPO, or their designees, 2 hours equally divided between the Senator from North Dakota, Mr. DORGAN, and the Senator from New Jersey, Mr. LAUTENBERG, or their designees, and 1 hour under the control of the Republican leader or his designee.

Who yields time?

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, for the benefit of all Senators, let me lay out today's program.

It has been more than 3½ weeks since the majority leader moved to proceed to the health care reform bill. This is the 14th day the Senate has considered it. The Senate has considered 18 amendments and motions. We have conducted 14 rollcall votes.

Today, the Senate will continue debating the Dorgan amendment on prescription drug reimportation and the Lautenberg alternative amendment to that amendment and we will continue debating the Crapo motion on taxes, for which I have filed a side-by-side amendment as well.

Under the previous order, there will be 5 hours of debate, with each of the

following Senators controlling 1 hour: The Senator from Idaho, Mr. CRAPO; the Senator from North Dakota, Mr. DORGAN; the Senator from New Jersey, Mr. LAUTENBERG; the Republican leader and this Senator.

The Senate will recess from 12:45 to 3:15 for party conferences.

Upon the use or yielding back of the 5 hours of debate, which is likely to be between 5 o'clock and 6 o'clock this evening, the Senate will proceed to vote in relation to four amendments in this order: First, my side-by-side amendment on tax cuts; second, the Crapo motion to commit on taxes; third, the Dorgan amendment No. 2793 on drug reimportation; and the Lautenberg side-by-side amendment No. 3156 on drug reimportation.

Each amendment will need to get 60 votes or else be withdrawn.

Upon disposition of these amendments and the motion, the next two Senators to be recognized to offer a motion and an amendment will be, first, the Senator from Texas, Mrs. HUTCHISON, to offer a motion to commit regarding taxes; and, second, the Senator from Vermont, Mr. SANDERS, to offer amendment No. 2837 on single payer.

AMENDMENT NO. 3183 TO AMENDMENT NO. 2786

Mr. President, under the previous order, it is in order for this Senator to offer a side-by-side amendment to the motion to commit, offered by the Senator from Idaho, Mr. CRAPO, and pursuant to that order, I call up my amendment No. 3183.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS] proposes an amendment numbered 3183.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect middle class families from tax increases)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ PROTECTING MIDDLE CLASS FAMILIES FROM TAX INCREASES.**

It is the sense of the Senate that the Senate should reject any procedural maneuver that would raise taxes on middle class families, such as a motion to commit the pending legislation to the Committee on Finance, which is designed to kill legislation that provides tax cuts for American workers and families, including the affordability tax credit and the small business tax credit.

Mr. BAUCUS. Mr. President, during the Presidential campaign, President Obama promised not to raise taxes on Americans who earn less than \$200,000 a year or American families who earn less than \$250,000 a year. That was his promise. This bill keeps his promise.

This bill will provide tax credits to help American families, workers, and small businesses to buy quality health

insurance plans through new fair and competitive marketplaces called insurance exchanges.

The Congressional Budget Office expects that by the year 2019, 25 million Americans will buy health insurance plans through the new exchanges. The vast majority of those Americans—about 19 million—will receive tax credits; that is, tax reductions, or help paying their copays and other out-of-pocket costs. These tax credits will reduce their health insurance costs by nearly 60 percent.

This bill does not raise taxes on the middle class. This bill is a tax cut for Americans.

Over the next 10 years, the health care reform bill will provide \$441 billion in tax credits to buy health insurance for American families, workers, and small businesses—\$441 billion in tax credits. Americans affected by the major tax provisions of this bill will receive an overall tax cut of 1.3 percent in the year 2017. That is a total of \$40 billion. That is an average of almost \$450 for every taxpayer affected. That same year, 2017, low- and middle-income taxpayers who earn between \$20,000 and \$30,000 a year will see an average Federal tax decrease of nearly 37 percent. I will repeat that. I think it is astounding. People with incomes between \$20,000 and \$30,000 a year will receive an average Federal tax decrease of nearly 37 percent. In that same year, 2017, the average taxpayer making less than \$75,000 a year will receive a tax credit of more than \$1,300. In 2019, 2 years later, that tax credit will grow to more than \$1,500.

Without this tax cut, many individuals and families will continue to forgo health care because it costs too much. We make it easier for people to buy health care with those tax cuts.

In addition to a tax cut, this bill also represents increased wages in the pockets of millions of Americans. Even my colleague from Idaho agrees that as a result of this bill, Americans will see increased wages. He said that exact thing on the floor last week. As a result of this bill, many Americans will see increased wages.

Senator CRAPO gave the example of an employee, the value of whose health insurance decreased but whose overall compensation did not decrease. As a result, the employee would receive additional wages.

Why are workers going to complain that they are paying more in wages because they have more money in their pocket? If incomes are going up, their wages are going up. Clearly, their taxes are going to go up correspondingly, but obviously the taxes are not going to go up by as much as the wages.

I have a letter from the Congressional Budget Office, dated November 18, that states just that. On page 18, the Congressional Budget Office says:

If employers increase or decrease the amount of compensation they provide in the form of health insurance (relative to current law projection), the Congressional Budget