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## Senate

The Senate met at 3:13 p.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

### 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, March 23, 2010.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

Mr. BEGICH thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### APPROVAL OF THE JOURNAL OF PROCEEDINGS AND EXPIRATION OF THE MORNING HOUR

Mr. REID. Mr. President, I ask unanimous consent the Journal of proceedings be approved to date, and the morning hour be deemed expired.

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

### MEASURES PLACED ON THE CALENDAR—H.R. 4872, S. 3152, S. 3153

Mr. REID. I understand there are three bills now at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills for the second time.

The legislative clerk read as follows:

A bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).

A bill (S. 3152) to repeal the Patient Protection and Affordable Care Act.

A bill (S. 3153) to provide a fully offset temporary extension of certain programs so as not to increase the deficit, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings, en bloc, to these three bills.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

### HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010

Mr. REID. Mr. President, I now move to proceed to H.R. 4872 and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

The Republican leader is recognized. Mr. MCCONNELL. Mr. President, if the Chair would indulge me a couple of parliamentary inquiries, which won't delay the process very long.

As I understand it, the budget resolution instructed two Senate committees to report changes in law to reduce the deficit by \$1 billion each over the next 5 years. The reconciliation instruction states that they were to report those changes by October 15, 2009, and that those measures are then sent to the Budget Committee to report the final measure. It is my understanding that nothing has been reported to date. Therefore, my inquiry is: Has the Budget Committee reported any reconciliation legislation to the Senate pursuant to the current budget resolution, S. Con. Res. 13?

The ACTING PRESIDENT pro tempore. It has not.

Mr. MCCONNELL. Mr. President, the answer is: No, it has not?

The ACTING PRESIDENT pro tempore. Correct.

Mr. MCCONNELL. Mr. President, one other parliamentary inquiry: My understanding is, each time the Senate has taken up a reconciliation bill on the floor, a Senate committee has reported a bill to the Senate, either through the Budget Committee or directly from the committee instructed. Therefore, my question to the Chair is: Is this the first time in history the Senate will consider a reconciliation even though no Senate committee has reported a bill to the Senate?

The ACTING PRESIDENT pro tempore. It is the first time that the Chair is aware of it.

Mr. MCCONNELL. I thank the Chair. Mr. REID. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT) and the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mrs. GILLIBRAND). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—56

Akaka	Burr	Durbin
Baucus	Cantwell	Feingold
Bayh	Cardin	Feinstein
Begich	Carper	Franken
Bennet	Casey	Gillibrand
Bingaman	Conrad	Hagan
Boxer	Dodd	Harkin
Brown (OH)	Dorgan	Inouye

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



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