

from losing coverage will have health care stability and security. It means that if you like the insurance you have now, you can keep it. Or if you don't have it, you can get it.

And it means that health care reform will be affordable to families and to the nation. We can't let health care bankrupt our families or the government. The non-partisan Congressional Budget Office says the Senate bill will reduce the deficit by \$132 billion over the next 10 years.

And while I support the Patient Protection and Affordable Care Act, I have some serious yellow flashing lights. I hope these issues will be resolved in a more favorable way in conference.

I am for a more robust and transparent public framework to ensure competition and choice in the marketplace. I like public options. Two of my favorite public options are Social Security and Medicare. The Senate bill creates a lot of new customers for insurance companies by mandating insurance coverage. But like big banks, insurance companies don't show remorse for past transgressions. We can't simply trust them to do the right thing. The Senate bill relies heavily on regulation to achieve what could be done with a public framework. I prefer the House public option.

I also continue to oppose the excise tax included in the Senate bill. I am not for taxing the health care benefits of retired public employees and union members to pay for health reform. Some call them Cadillac plans. I call it a "Clunker Idea." The excise tax will just shift costs onto workers through higher deductibles, copayments, and less generous coverage. I am against this back-door tax on middle America & retirees. Again, I prefer the House version on this.

So we have some work to do.

I will keep fighting for health care reform. Because it is absolutely terrible when you hear—I am sorry your insurance doesn't cover that. It is horrifying when you have no insurance at all because you lost your job or your benefits and you face losing your life savings to pay for the care you need.

I can assure you I will be fighting on the side of Maryland and the American people to complete health care reform in early 2010.

#### CONTINUED FINANCING OF GOVERNMENT OPERATIONS

The VICE PRESIDENT. The clerk will report H.R. 4314.

The legislative clerk read as follows:

A bill (H.R. 4314) to permit continued financing of Government operations.

The VICE PRESIDENT. The question is on the third reading of the bill.

The bill (H.R. 4314) was ordered to a third reading and was read the third time.

Mr. CONRAD. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kentucky (Mr. BUNNING).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted "nay."

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 397 Leg.]

#### YEAS—60

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kaufman	Reid
Brown	Kerry	Rockefeller
Burr	Kirk	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Voinovich
Durbin	McCaskill	Warner
Feingold	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

#### NAYS—39

Alexander	Crapo	LeMieux
Barrasso	DeMint	Lugar
Bayh	Ensign	McCain
Bennett	Enzi	McConnell
Bond	Graham	Murkowski
Brownback	Grassley	Risch
Burr	Gregg	Roberts
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Snowe
Collins	Isakson	Thune
Corker	Johanns	Vitter
Cornyn	Kyl	Wicker

#### NOT VOTING—1

Bunning

The VICE PRESIDENT. On this vote, the yeas are 60, the nays are 39. Under the previous order requiring 60 votes for the passage of this act, the act is passed.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ENZI. Mr. President, we have debated whether to increase the amount of money the Federal Government can borrow at the same time that we created a massive new entitlement program that will cost the Federal taxpayer trillions of dollars over the coming decade.

Sponsors of the Reid bill have claimed that their bill would reduce the deficit and extend the solvency of the Medicare trust fund. We heard today from the nonpartisan Congressional Budget Office that these claims are false.

In reviewing the Reid bill, CBO stated that claims that the bill would both improve the government's ability to pay future Medicare benefits and fi-

nancing new spending outside of Medicare would double count a large share of those savings and overstate the improvement in the government's fiscal position.

My Republican colleagues and I have argued for 3 weeks now that the Reid bill takes money from Medicare and spends it on a new, unsustainable health care entitlement. Instead of strengthening the Medicare Program, today we received confirmation that the Reid bill robs Medicare to the tune of nearly  $\frac{1}{2}$  trillion and threatens its solvency.

CBO has said that this robbery does not really strengthen the solvency of the Medicare Program. Instead the bill uses government accounting gimmicks to merely make it look like it is doing something to help the Medicare Program.

The Reid bill cuts \$470 billion from the Medicare Program. Rather than reserving those monies to pay for future Medicare benefits, the bill spends those monies to pay for a new program to provide health insurance for the uninsured.

But because of government accounting rules, any savings are assumed to be used to purchase government bonds that will be saved to pay for future expenses. That allows sponsors of the bill to claim that they are extending the solvency of the Medicare trust fund.

As the only accountant in the Senate, I find it disturbing to see the government using its accounting rules to allow it to spend these savings twice. The sponsors of the Reid bill are counting the savings towards the Medicare Program at the same time those monies are being spent to pay for other Federal spending.

This would constitute fraud in the private sector. If they had to come under the same laws as private business, the administration and Congress would go to jail.

If there is any doubt, listen to what the Congressional Budget Office said:

Unified budget accounting shows that the majority of the [Medicare] trust fund savings would be used to pay for other spending under the [Reid bill] and would not enhance the ability of the government to redeem the bonds credited to the trust fund to pay for future Medicare benefits.

This means the claim that the Reid bill strengthens Medicare is false. The bill robs Medicare to pay for new spending.

Unfortunately this example of government accounting is just one example of the growing problems that our Nation faces. Our Nation's debt is now more than \$12 trillion and our deficit for fiscal year 2009 was over \$1.4 trillion. As a percentage of the economy, our deficit is 10 percent of GDP—the highest it has been since the Second World War. We are faced with increasing the debt limit at a time when our Nation's credit card is maxed out.

I worry about the country that I am leaving for my children and grandchildren. Our Nation is being buried under a mountain of debt, which poses

a deadly threat to the future of our Nation.

The government will make up the current deficit by borrowing more money, mostly from China and other foreign governments. These levels of debt are not sustainable. The Chinese Government already made it very clear that they are growing apprehensive about our ability to pay these debts.

As China's apprehension grows, the interest rates we pay on our debt will grow. That means that it will soon cost us considerably more to allow Washington to continue to borrow the money it needs to fund its current spending binge.

As the Chinese Government grows concerned about financing Washington's appetite for rampant spending, it should give everyone in this Chamber pause. Our most fundamental duty as Members of Congress is to wisely manage the power of the purse for our Nation. Congress is currently failing to carry out this obligation.

According to David Walker, the former head of the GAO, at the end of fiscal 2000, the Federal Government had about \$20.4 trillion in total liabilities, commitments, and unfunded promises for Social Security and Medicare. That number rose to \$56.4 trillion at the end of fiscal 2008—a 176-percent increase in just 8 years. By the end of this year, that number is expected to have risen to \$63 trillion.

On January 15 of this year, the Senate Budget Committee held a hearing on the long-term outlook for Federal debt. We heard testimony from a bipartisan panel of experts, including Dr. Richard Berner, chief global economist for Morgan Stanley; Dr. Allen Sinai, president and chief global economist/strategist for Decision Economics, Inc.; and Dr. Douglas Holtz-Eakin, former Director of the Congressional Budget Office.

Some of these economists were Democrats and some were Republicans, yet all three agreed that the long-term outlook for U.S. debt was grim and that our Nation's creditworthiness was at risk without a plan to address the costs of future entitlements and the multiple bailout/stimulus proposals Congress has passed.

All three panelists endorsed bipartisan commission concepts to address entitlement spending such as the one sponsored by Senators CONRAD and GREGG. And the experts all agreed that the current budget process needs to be reformed to remove incentives to deficit spend. Yet none of those recommendations are evident in the legislation we are voting on today.

Dr. Sinai—one of the Democrat's invited witnesses from that day—testified that we have exceeded several tipping points in creditworthiness in the U.S. economy, but the only reason we don't feel the effects of it now is because “everyone else is drowning too” and investors are fleeing to quality. But how long can that continue?

Further, Dr. Sinai states:

The deficit and debt prospects under almost any scenario are daunting, with deficit-to-GDP and debt-to-GDP ratios not seen before in a G-7 country. This territory is uncharted with no real historical analogue to this kind of financial situation for a major global economic power. . . . The answer to whether the U.S. can afford all of the initiatives on its wish list—economic, societal, defense, and otherwise—is no.

Dr. Holtz-Eakin echoed similar statements from other panelists and strongly urged Congress to adopt a plan that conveys to markets a clear path for stabilizing and reducing the debt burden.

That panel appeared before us in January, but we still lack any coherent plan to stabilize our debt. Just last week on Tuesday, Dec. 14, the Peterson-Pew Commission released its first report, *Red Ink Rising: A Call to Action to Stem the Mounting Federal Debt*, which encourages lawmakers to act immediately to stabilize the national debt.

Crafted over the past year by former heads of the CBO, OMB, GAO, and the congressional budget committees, the report strongly urges Congress and the President to commit immediately to stabilize the debt at 60 percent of GDP by 2018 and develop a specific and credible debt stabilization package in 2010. But there is nothing in this debt limit bill that does either of these things.

Some Senators will argue today that raising the debt ceiling is the only fiscally responsible choice before us. I disagree. A vote to raise the debt ceiling is merely a vote to raise taxes on our children and grandchildren.

This cycle of kicking our responsibilities to the next generation must stop and it must stop today. In my view, the only fiscally responsible choice is to live within our means and balance our Federal budget.

A newspaper columnist, Diane Badget from Lovell, WY, said it best when she wrote how her mother would react to what is happening in Washington today. Diane wrote, “Momma always said, ‘If you don’t have enough money to buy a quart of milk you don’t take someone else’s hard-earned cash and buy ice cream.’”

If we fail to heed that warning, we will be responsible for passing along unsustainable costs and obligations to our children and grandchildren. That is where the Reid bill is taking our country.

The only remaining question is whether we will have the courage to stop this process and preserve our Nation's strength for future generations.

Mr. HATCH. Mr. President, I rise today to express my great concern about the need for the legislation before us, which would increase the Nation's debt limit.

It is sad and disturbing that the last vote we will take this year before recessing for the Christmas holiday is one to increase the already almost unimaginably high \$12 trillion debt ceiling.

What a horrible gift to deliver to the American taxpayer on this Christmas

Eve. In a season when most families have cut back their own spending and, in many cases, cut up their own credit cards, the Democratic majority is asking us to increase the Nation's credit card limit so that they can continue to take on more debt to cover their voracious appetite for spending.

Up until a few days ago, the Democratic leadership was actually looking for a way to increase the debt limit by more than \$1.8 trillion, which would have been more than twice as much as the largest previous increase in the debt limit. They were looking for a virtual blank check to continue their unrestrained deficit spending all the way through next year's election.

The fact that the majority party could not come to a consensus among its own ranks on this outrageous plan is evidence enough of the brashness and hubris of the other side. Apparently, even a drunken sailor can be embarrassed enough to show a modicum of restraint if the price tag is high enough.

Plain and simple, we need to take control of this out-of-control government spending before we see the hopes and dreams of our children, grandchildren, and all subsequent generations of Americans dashed against the rocks.

Federal spending is now taking the largest share of our national income since the early 1950s and the current deficit is as large as it has been since World War II. This is bad enough, Mr. President, but there is no end in sight to the profligacy.

Based on current projections, which will probably get much worse, 10 years from now it will be shown that this President and this Democratic majority have left a shameful legacy. The CBO estimates that in 2019, the Federal deficit will still be over \$1 trillion for that 1 year and that our total national debt will be over \$20 trillion. Most of our new borrowing will be needed just to pay interest on the previous debt.

At some nearby place, which we are fast approaching, we will reach a tipping point where we will be in total bondage to this debt. When we get to the time that we are borrowing vast and ever-increasing sums just to pay the interest on previous debt, the hopes of ever escaping from the vortex of financial destruction will fade and we will have consigned the next generations to a permanent substandard of living.

The other side keeps making the pathetically lame excuse that they inherited eight years of bad economic policy, which they say is the real culprit of our fiscal problems. What is conveniently forgotten around here is the fact that the final two of those eight years were under a Democratically led Congress.

I am the first to admit that Republicans in Congress were too eager to spend and that President Bush should have wielded his veto pen more aggressively. There is some accountability

there. But let us face it, our side are rank amateurs compared to the consummate spenders we now have in charge.

For proof, we need look no further than the President's budget, the trillion dollar stimulus bill, this \$2.5 trillion health care bill, and the recent \$1.1 trillion omnibus spending bill with its double digit percentage increases over last year's spending. The deficit has grown exponentially this year alone.

The numbers themselves tell the story. The Treasury Department's Monthly Treasury Statement for November shows a deficit over the first two months of this new fiscal year alone of nearly \$300 billion. This 2-month deficit is greater than the full-year deficits in 2002, 2006, and 2007, which, by the way, are part of the past eight years that were supposed to represent the ultimate in reckless spending.

I am scared. All Americans should be frightened as well. We are on an unstable raft in the middle of an increasingly raging river. The currents are swirling around us and we are beginning to lose control of where we are going. Sharp rocks are starting to appear in the river that threaten our destruction.

Our alarm grows as we begin to hear a sound off in the distance that slowly gets louder as we head downstream on these increasingly wild rapids. The sound we hear is the cataract that represents our fall from the greatest nation in the history of mankind to that of a second-rate player on the world stage. Can you hear it? Can we find a way to turn this boat around before it is too late to avoid the fall? Many of my fellow Utahns can hear it and they are begging me to find a way to get us off this destructive course and get us back to safe waters.

The first step is to reject this debt limit increase. Let us cut up the credit card and stop this frightening spending spree before it takes us to the precipice.

It is a good thing we are recessing for a few days. The Members of this Senate need to go home and get a reality check from those who have sent us here. I hope that over the recess each of us will get a message, loud and clear, from our recession and debt-weary constituents that they are sick and tired of this fiscal irresponsibility. They are demanding change, and they will get it, one way or the other.

I hope that in the new year, we can consider these messages and find a new resolve to come together, to find the restraint that is simply lacking now, and to reverse this reckless spending so we do not send our country down the river.

The VICE PRESIDENT. The majority leader is recognized.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, the minority leader and I have some things to

discuss, so I ask unanimous consent that we recess subject to the call of the Chair.

There being no objection, the Senate, at 7:35 a.m., recessed until 8:26 a.m., and reassembled when called to order by the Presiding Officer (Ms. CANTWELL).

The PRESIDING OFFICER. The Senator from Nebraska.

#### HEALTH CARE REFORM

Mr. NELSON of Nebraska. Madam President, during the consideration of the health care bill, one of my primary concerns has been ensuring that the longstanding Hyde amendment would be incorporated into the bill. I have strongly held views on the subject, and I fought hard to prevent tax dollars from being used to subsidize abortions.

I was pleased that the House included strong abortion provisions in its health care bill in the form of the Stupak amendment. I modified this language to meet the Senate bill and offered the Nelson-Hatch-Casey amendment to prohibit Federal funding of abortion, and I was disappointed to see that amendment was tabled by a vote of 54 to 45.

I knew then that the underlying bill did not adequately prohibit Federal funding of abortion and, consequently, I would not be able to support it. So I began to look for other language to accomplish the goal that no public funds should cover abortion in the new health care bill. After long days of negotiations, I believe we came up with a true compromise that stays faithful to my principles.

I want to be clear, I stuck to my guns and stood for my pro-life principles. I did not look for weaker language. I looked for clearer language, and my goal stayed the same: to maintain the standard that we have had in Federal law since the mid-1970s.

While I respect the opinion of the Senator from Kansas, I have to respectfully disagree. The Senate language fully upholds the Hyde principle like the language in the House bill. The wording may be different, but the principle is, in fact, upheld.

Under the health care bill, if you cannot afford insurance, you will receive Federal assistance to help pay for a private health care plan. The Stupak language prohibits that Federal assistance from paying for insurance that covers abortions. If you like a plan that covers abortion, you must purchase a rider or an endorsement to your plan with your own funds. You could do that as well by writing just one check to the insurer. For that you get a separate piece of paper addressing abortion.

The Senate language, with my added compromise, also prohibits Federal funds from paying for private insurance that covers abortion. The only difference is that in the Senate bill, if you are receiving Federal assistance to buy insurance, and if that plan has any

abortion coverage, the insurance company must bill you separately, and you must pay separately from your own personal funds—perhaps a credit card transaction, your separate personal check, or automatic withdrawal from your bank account—for that abortion coverage.

Now, let me say that again. You have to write two checks: one for the basic policy and one for the additional coverage for abortion. The latter has to be entirely from personal funds.

So under both the Stupak and the new Senate language, no Federal funds can be used to pay for a plan that covers abortion, and if you choose to purchase abortion coverage—if it is available—you must pay out of your own pocket.

Furthermore, the Senate language allows States the right to ban public and private insurance from supplying abortion coverage. Already, 12 States ban abortion coverage on public plans and 5 States ban abortion coverage on both private and public plans. So, in short, the Senate bill ensures, once again, no Federal funds would be used for abortion.

I would like to note that the Senate bill goes beyond Stupak in two life-promoting ways. One, it adds funding to support pregnant and parenting teens and women and, two, it expands the adoption tax credit to help adoptive parents with the considerable expense of adoption by making that credit a refundable tax credit. This means many potential parents who lack the regular resources to adopt will now be in a better position to do so.

The Senate bill also contains the same strong conscience protections included in the Stupak language. We tried winning approval for the Nelson-Hatch-Casey abortion language in the Senate, but we were unsuccessful. However, we did not give up. I know people have very strong feelings about the issue of abortion, and I respect those who disagree with my position, but I could not support health reform that did not maintain the 30-year standard barring public funding of abortion. I did not compromise my pro-life principles; we just found different wording, different language, and both will work. I believe people will see that no public funding will go to abortion.

In addition, my provision empowers the States to pass laws banning the sale of insurance that covers abortion. We make it clear that this new law, this new bill does not in any way preempt the rights of States to be able to continue to make that ban in the decisions they might make legislatively, and we want to make certain there is no doubt but that this bill has no preemption of the States rights.

Despite what some partisans and talk show hosts say in their scare tactics, the conscience clause remains. Also, despite what those same people and even some of my colleagues have said, the bottom line is that the Senate health care bill will not allow taxpayer money to pay for abortion, period.