

colleague, Senator WEBB: S. 174, the National Criminal Justice Commission Act of 2009.

This bill would establish the National Criminal Justice Commission to undertake a comprehensive review of the current system and submit a report to Congress and the President that outlines findings and recommendations for changes in criminal justice policies.

Such action is vital to keeping our children safe. We must not be complacent in the face of such inconceivably violent and destructive acts as the crime that took Esme from us.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon the Senate, at 12:34 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS—Continued

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

(The remarks of Mr. JOHANNIS pertaining to the submission of S. Res. 452 are located in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Utah is recognized.

HEALTH CARE REFORM

Mr. HATCH. Mr. President, I rise, joined by my friend, the distinguished Senator from South Dakota and chairman of the Senate Republican Policy Committee, to discuss the health care legislation being considered in Congress. The current debate is primarily about process. But before addressing that, I wish to remind everyone that in the end, this is about the substance of the legislation that Washington liberals want to impose upon the country by any means necessary.

This legislation is bad, both for what it represents and for what it would do. It represents a massive Federal Government takeover of the health care system. The health care and health insurance systems could be significantly improved with policies that respect individual choice, that embrace our system of federalism, in which the States can tailor solutions to their own needs and demographics. It could. But Washington liberals have rejected that path.

What would this legislation do? As I have argued in the past, this legislation would bust the limits the Constitution places on Federal Government power. Liberty itself depends on those limits, it always has and it always will. Those limits mean Congress may exercise only the powers listed in the Constitution. None of those powers authorizes Congress to take such unprecedented steps as requiring that individuals spend their own money to purchase a particular good or service,

such as health insurance, or face a financial penalty. This legislation would unnecessarily take this country into unchartered political and legal territory.

We just heard from the Congressional Budget Office that President Obama's policies will add a staggering \$8.5 trillion—that is trillion with a "t"—to our already sky-high national debt.

This is before passage of the health care tax-and-spend bill that would cost another \$2.5 trillion. Claims that this boondoggle will lower the deficit result from some pretty impressive accounting tricks. This legislation, for example, would start taking money from Americans immediately but would not provide any benefits to them for years. How about that as a neat way to lower a bill's supposed cost?

What do Americans get for all these trillions of dollars? They would be required to buy health insurance, but only 7 percent of Americans would receive any government subsidy to do so. Washington liberals say this bill cuts taxes, but 93 percent of all Americans would not be eligible for any tax benefit. Contrary to President Obama's explicit pledge, one-quarter of Americans making under \$200,000 per year would see their taxes go up. Middle-class American families paying higher taxes will outnumber those receiving any government subsidy by more than 3 to 1.

And after the higher taxes, increased government control, greater regulation, and paltry help in buying health insurance, this legislation would not control health care costs, which is the main reason for the concern about health insurance in the first place.

It does nothing to rein in the junk lawsuits that drive up costs and drive doctors out of medicine. Instead, this legislation would cut \$500 billion from Medicare to pay for a massive new government entitlement system that would include 159 new boards and other bureaucratic entities.

Last month, the White House released an 11-page document titled "The President's Proposal." Calling it that, I suppose, was to make it appear to be a meaningful step in a genuine negotiation. It is nothing of the kind. One of the most obvious changes suggested in this document was elimination of the Medicaid subsidy that the Senate bill gave to only one State. That was for political rather than policy reasons. And I cannot forget to mention that this 11-page document's suggested changes would add at least \$75 billion more to the cost of the Senate bill. That is around \$7 billion a page. But it offered nothing to change the real defects in this legislation.

For these and so many other reasons, this legislation is the wrong way to address the challenges we face in health care and health insurance.

Let me turn to my friend from South Dakota, Senator THUNE. Now that we have been debating these issues for the better part of a year, what do the

American people think of these liberal Washingtonian proposals and how did we get where we are today?

Mr. THUNE. I say to the Senator from Utah that he has made, over the course of the last year, many compelling arguments about the substance of this legislation and just now summarized what some of those are. The reason the American people have rejected this legislation is because they understand the substance of it. As the Senator pointed out, it has tax increases, Medicare cuts, and premium increases for most Americans. They figured that out a long time ago. That is why, if you look at the public opinion surveys that have been done with regard to the bill itself and to the process by which it got where it is, the American people reject it.

The reconciliation process, which has been talked about as a way in which to ultimately pass this through the House and then through the Senate, there have been polls that have asked the American public what they think of using reconciliation to enact health care reform.

The Gallup poll from February 25: 52 percent of Americans oppose the use of reconciliation. Last week's Rasmussen Report poll shows that 53 percent of Americans are opposed to the health care plan. Perhaps the most telling poll is a CNN poll from February 24—if you can believe this—that says 48 percent of Americans want Congress to start working on a new bill, and 25 percent of Americans want Congress to stop working on health care. Added together, that is 73 percent of the American public that wants Congress to either stop working on health care altogether or start over.

I am not among those who think we ought to stop working on this. This is a big, important issue to the American people. They want us to do it. But they want us to get it right. What is being proposed by our colleagues on the other side and what so far has been rammed through on a very partisan basis is a \$2.5 trillion expansion of the Federal Government that expands the health care entitlement but does very little to reform health care in this country or to address the underlying drivers of health care costs in this country.

So the Senator from Utah is absolutely right in describing why the American people are so opposed to this legislation; that is, because they understand it. They know what it does. They are concerned about the cost of their health care insurance in this country. They are concerned as well about those who do not have health care, and we have come up with solutions we think make sense to cover those who do not have coverage. But I think it is pretty clear where the American people come down on this issue.

Incidentally, I think that is also what many of these elections we have had recently are about. If you look at