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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 8, 2011, at 10 a.m.

## Senate

WEDNESDAY, FEBRUARY 2, 2011

The Senate met at 10 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.

Almighty God, father of us all, continue to guide our lawmakers during these challenging times. Infuse them with wisdom and energy so that they will not become discouraged by what sometimes seems an impossible situation. Show them the road that will lead to a desired destination as You assure them of Your presence, love, and grace in their work. Lord, help them to defer to each other, to respect each other, so that by attitude and action they will reflect Your divine will. May they fulfill their responsibilities in ways that honor You.

We pray in Your great 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. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 2, 2011.

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.

DANIEL K. INOUE,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

Mr. REID. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

### HEALTH CARE REPEAL

Mr. MCCONNELL. Madam President, later today, as I noted yesterday, the Senate will have a rare opportunity. For those who have supported the health care spending bill in the past, it is an opportunity to revisit your first vote, to listen to those who have desperately been trying to get your attention, to say, yes, maybe my vote for this bill was a mistake, maybe we can do better, to listen to the small business owners who have been contacting

our offices every single day and telling us all the ways this bill keeps them from creating the jobs we need, to show you have actually noticed most Americans don't want this bill, to show you are aware more people want it repealed than do not, to show you have noticed the townhalls in your States, to show you have noticed the opposition to this bill continues to grow, to show you have noticed the Federal court rulings that show this bill is unconstitutional at its core.

It is not every day you get a second chance on a big decision after you know all the facts. This is that second chance.

For all of us who opposed the health care bill, today we reaffirm our commitment to work a little harder to get it right; we can't afford to get it wrong. But let's not anyone hide behind the preposterous talking point that repealing this bill would add to the deficit. Only in Washington would somebody claim that spending trillions of dollars on a brand new government entitlement and a massive bureaucracy to go along with it will save money.

I urge all my colleagues to move beyond party affiliation, to look at the facts alone. If everyone in this Chamber did that, we would repeal this bill right now, and then we would begin the work of achieving our common goal of delivering health care at a higher quality for lower cost. We would put in place the commonsense reforms people actually want.

We also expect a vote later today that would clear away one of the many impediments to job creation that was

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



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layered into this bill. It turns out Senator JOHANNIS did such an outstanding job of raising awareness about the 1099 requirement that our friends on the other side have basically co-opted the idea and are now claiming it as their own. Actually, that is fine with us. It is not a bad precedent, actually. We have a lot of other good ideas we would be happy to share—not replacing one 2,700-page bill with another but passing commonsense reforms that people actually want.

The case against this bill is more compelling every day. Everything we learn tells us it was a bad idea, that it should be repealed and replaced. The courts say so, the American people say so, job creators say so. It is time for those who passed this bill to show they noticed. Let's take this opportunity.

I yield the floor.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### SCHEDULE

Mr. REID. Madam President, following my remarks, Senator PAUL of Kentucky will be recognized for up to 20 minutes in morning business to deliver his first speech as a Member of the Senate. Following Senator PAUL's remarks, the Senate will resume consideration of S. 223, the Federal Aviation Administration Authorization bill. I have spoken to the Republican leader, and we will have some votes between 5 and 6 o'clock tonight. We will have three votes. Senators will be notified as to the specific time at a later hour today.

#### HEALTH CARE

Mr. REID. Madam President, if the American people want to understand the difference between Democrats and Republicans, it is my suggestion that they pay attention to what is happening on the Senate floor this week. The two parties simply have different priorities. Democrats are fighting to modernize our Nation's air travel. Republicans are fighting to repeal the health care reform law, ignoring the 80 percent of Americans who want them to leave it alone. In other words, Democrats want to get passengers the rights they deserve. Republicans want to take away patients' rights that they already have, rights that are saving lives, saving money, and saving Medicare, just as we promised when we wrote this law.

What Republicans refuse to understand, or at least what they hope the people do not realize, is that in America we give our citizens rights; we don't take them away. That principle comes first and inspired the country's founding and has directed our evolution and defines our promise.

We as Senators have a choice. We can move forward or we can look backward; we can make progress or we can stage a futile fight with the future. It is clear this week that while the American people and Senate Democrats are looking ahead, Senate Republicans are looking for a way to distract the American people. This is what moving forward looks like: Our bill to modernize our Nation's air travel will protect consumers. It is a passengers' bill of rights. We know delays happen when we fly from the airports around the country. We try to fly sometimes. When we do, we want to make sure passengers are treated right. We want to make sure passengers have the right to timely and accurate information about their flight. We want to make sure passengers have the right to food, water, and access to restrooms when they are forced to wait.

We want to make sure passengers have the right to know that while they are sitting on an airplane that is on a tarmac—as I said here yesterday, 3½ hours in Dallas alone waiting for a gate—we want to make sure passengers know the airline they are flying has a contingency plan to get them where they need to go.

This bill will also make flying safer and make it more efficient. It will help prevent accidents on the runways. It will finally introduce GPS technology to our Nation's air traffic control system. Mongolia has GPS. We don't. In most every country in the world, they determine where airplanes are with GPS. They do it in the air. We are still doing it on the ground. This bill will improve access to rural communities, which is important to Nevadas in rural cities such as Ely, NV, which is not near a big metropolitan area, and would reduce delays in the first place. That is what moving forward looks like, and that is why Senator ROCKEFELLER has worked for years to get this bill passed.

But there have been little side issues that have come up. The side issues are going to be debated on the floor and we will either pass them or get rid of them and get this bill on the road to the President's desk. So what I have talked about is what moving forward looks like. That is what we Democrats want to do.

This is what moving backward would look like: Republicans' symbolic effort to repeal the rights in the health care reform bill would put us all at risk. I am going to only mention a few of the things, but it would let insurance companies, once again, stand in the way of a child and the medical care that child needs. It would take away that child's right to get health insurance and instead give insurance companies the right to use asthma or diabetes as the excuse to take away that care. It would kick kids off their parents' health insurance. It would take away seniors' rights to a free wellness check. It would force seniors to pay more for their prescriptions. It would raise taxes on small businesses and add \$1.5 trillion to our deficit.

That is what their amendment would do.

This is how health insurance worked before reforms became the law of the land. We do not want to go back. Madam President, I am sure you have had parents come to you with tears in their eyes, saying: Now my child can get insurance. We don't want to have mothers say: What am I going to do? That is what they said in the past.

There is one more difference between Democrats and Republicans. We are fighting for jobs this week. Along with all the advantages in the aviation modernization bill I mentioned a minute ago, it is also a jobs bill. It will create and protect at least 280,000 American jobs. That is why we are fighting so hard for this bill. This is a bipartisan bill. Let's get to passing it.

While the health care reform law is making sick Americans healthier and better, it is also helping unemployed Americans find work. A healthier health care system is going to create hundreds of thousands of jobs a year for the next decade.

I went to GW University Hospital—I wasn't sick—to visit somebody there. A woman—she must have been one of the administrators—said: Oh, I am so happy. She said: You know that health care bill you passed, we are going to hire 500 new physicians. I came back and told my staff that and they said you must have it mixed up. Five hundred? I said: Let's find out her name and you call her. They called her. I was right. That is what she told me, and she said that is because of the health care bill we passed.

We are talking about this health care bill also helping unemployed Americans find work. A healthier health care system is going to create hundreds of thousands of jobs a year for the next decade. That is what they tell us. That is because when businesses do not have to spend much on premiums, they can spend more on people—and healthier workers are, of course, more productive workers and that helps our economy at every level.

This is the difference between moving forward and moving backward. It is the difference between giving people rights and taking them away. In the late days of the health care reform debate, my colleagues on the other side asked us to stop everything and start over. It is nothing more than an excuse to keep insurance companies in charge of health care in this country. The minority is again asking us to turn back the clock on the progress we made, turn health care back to the insurance companies. They can dig in their heels, try to slam on the brakes as hard as they want, but the course of our country goes in only one direction. We move forward.

Madam President, as I announced earlier, Senator PAUL is going to give his maiden speech. I am sure his father is looking on through the magic of all of the new communications we have to listen to his son give a speech in the Senate. We are all anxious to hear him.