

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with Republicans controlling the first half and the majority controlling the second half.

The Senator from Wyoming.

## A SECOND OPINION

Mr. BARRASSO. Madam President, I come to the floor today, on the 6-month anniversary of the signing into law of what has commonly across the country come to be called ObamaCare. I come as a physician, someone who has practiced medicine in Wyoming since the early 1980s, taking care of thousands and thousands of patients across the cowboy State—families. I bring that experience to the Senate floor. I have a doctor's second opinion, now that here we are, 6 months out. It is akin to looking at an x ray after something has happened, going 6 months later and taking a look at the x ray to see what has occurred to the patient.

Six months ago when Obama signed his new health care bill into law, he said: "All of the overheated rhetoric over reform will finally confront the reality of reform."

Here we are 6 months later. The American people have been confronted with the reality of the President's reform, and they do not like it. The American people who listened to Speaker PELOSI say: First, we must pass the bill before you get to find out what is in it, now have learned more and more what is in it, and they don't like it. The American people watched as this body came together, cobbled together legislation with things such as the "Cornhusker kickback" and special treats for different Senators so we would agree to vote for the bill, and the American people don't like it.

As a matter of fact, there was a Ras-mussen poll that just came out Monday, and as of Monday this week, 6 months after the bill was signed into law, 61 percent of the American people want Washington to repeal this new health care law—61 percent want it repealed. Once again, instead of listening to the American people, the President continues to try to sell his law. He tried it again yesterday in a back yard. He continues to make promises he knows he cannot keep and that have not been kept with this new law.

Now that we are 6 months into the new law, I wish to walk you through some of the President's promises and the reality that the people of this great country are living with as they look at

what has been crammed down their throats. Promise No. 1 by the President: If you like your current health care coverage, you can keep it. According to a new Obama administration regulation—this is the President's own administration, writing the regulation—a majority of Americans who get their insurance through work will not be able to keep the current health care plan they have. Even the White House admits it. The President keeps saying it, but the White House admits it is not true.

Promise No. 2: The law will bring the cost of medical care down and reduce the deficit. The Congressional Budget Office disagrees, saying it erases savings. The Actuary at the Center for Medicare and Medicaid Services says the new law will increase health care spending.

Let's look at promise No. 3. This says the law will strengthen Medicare. It actually cuts Medicare by  $\$1\frac{1}{2}$  trillion—\$500 billion cut from Medicare. The seniors of this country are furious.

To make matters worse, this money is not being used to save Medicare or to strengthen Medicare. The money is being used to start a whole new government program for other people. There is a rebellion among the seniors of this country.

Let's look at another promise the President made. He said: The law will create jobs. We have 9.6 percent unemployment in this country. We continue to learn about companies that want to employ people, that want to create jobs, but instead those companies are cutting their payrolls in order to deal with the massive new tax increases included in the law. If you look at the incentives that are given to small companies, in terms of helping them with health care costs, the incentives are the ones that say: If you want to get something, you want to cut the number of employees you have and cut the salaries of the people you are still going to employ. That does not create jobs. This law does not create jobs.

Then, of course, President Obama also promised that the Federal Government would not ration care. Then I would say why did the President make a recess appointment of a man to run the Centers for Medicare and Medicaid who has repeatedly acknowledged and said the government must ration care? He has a long history, but he did not come to the Senate to explain a number of statements he has made about redistributing wealth, rationing care. He does not need to explain it to the Senate. He needs to explain it to the people of this country. That is Donald Berwick, a physician from Massachusetts, still refusing to testify before Congress and the American people. He has been invited again to come today. There will be people waiting in a room to which he has been invited. We will see if he does arrive, but I doubt it.

You wonder why Americans are sick and tired of Washington. It is no surprise; yesterday, when speaking at the

event in Virginia, the President focused on provisions of the new law that go into effect today. As Paul Harvey used to say: "Now the rest of the story." Some of the changes the President touted yesterday actually don't start right away. Many Americans will not see how these changes will impact them until after January 1 of 2011. But yesterday, USA Today, the newspaper, actually ran a big story—a full-page story almost—on the new provisions. The thing that was so interesting about the story is, the story outlined the basics of each provision—a little thing there. Then underneath each one of the basics it had several paragraphs of things they called be aware: The basics are this, but be aware that this may happen to you, and this may happen to you and this may not apply or this may apply.

All those things are to alert the American people that there is a lot more to it when you look at this over 2,000-page bill and the so many agencies that are being brought forth to write rules and regulations—so many things the American people will still learn about this bill, and as they learn those things they will like it even less.

The story outlined the basics and then the "be awares" of each provision. I think it is very important for the Americans who are listening and who are focused on this to be aware of these "be awares," that they are so much longer than the provisions. What I would like to do is walk through some of them with you.

The law does allow young adults to stay on and be added to their parents' health insurance plan until age 26. That is what we hear. Make sure to read the fine print.

One of the things the Obama administration published was the so-called grandfather regulation—not when the bill was signed into law but in June. This Washington White House regulation defines the rules that employers must follow if they want the health coverage they currently offer their employees to be exempt from the new law's mandates. It says be aware that children are not eligible to be added to their parents' grandfathered employer group plan if the child can access coverage in other ways, if they have a job—another very complicated situation of rules and regulations.

Second, the law now requires insurers to cover more preventive services—immunizations, mammograms, colonoscopies. It is important for people to take responsibility for their health and things such as screening mammograms and immunizations; those help people in the long run. It says insurers cannot charge copayments or deductibles for these added benefits. Then let's get to the "be aware" section. Be aware these cost savings only apply to new health insurance plans, not the so-called grandfathered plans, so you have them describing the grandfathered plans and who can be a part of it and who cannot.

There is more to this than meets the eye. Also, be aware—don't be surprised if you see your insurance premiums go up.

The President wants to sell Americans on the good things in the law, what he considers the good things in the law, but he has failed to mention that mandating insurers to cover these extra benefits is going to cause premiums to go up.

Another: Insurance companies can no longer cap the amount they will pay over a person's lifetime. Americans need to be aware, however, that insurance plans that had lower premium costs because—they say, how do you get premiums down? They did it by limiting lifetime amounts. It says those people now may be forced to pay higher insurance premiums.

Another: The law designed new rules preventing insurers from denying coverage to any child under the age of 19 who has a preexisting medical condition. So what did the Washington Post say about that? What did the Los Angeles Times report? They both printed articles this Tuesday, 2 days ago, warning consumers that major health insurance companies—what are they going to do about this? They are going to plan to stop selling new child-only covered products completely. Is this going to help kids with preexisting conditions, this law? As these insurance companies plan to stop selling new child-only coverage products, that is not going to help. It is because of this law.

The health care law allows parents to wait until their child is sick before buying a policy. When only sick people buy health insurance, premiums have to go up. As the rate increases, more people drop their coverage. This certainly is going to hit lower income families hard. Some uninsured parents, while they can't afford family insurance, often decide to buy a child-only policy to ensure their kids have coverage. But according to these new reports, families all across America will have fewer health insurance options because of the new law—fewer options for families, fewer options for patients, not more.

This Congress had a historic opportunity to make patient-centered health care reforms to bring down the cost of medical care in this country. We had a historic opportunity, and this Congress missed it. The one thing the American people wanted out of health care reform was lower costs. But increased Washington mandates passed by this Senate only serve to produce fewer insurance choices, increased costs, and insert the Federal Government between patients and their doctors.

It is time that we start talking honestly about how this law—even the things on which Republicans and Democrats agree—affected patients and their families. That is why I believe this health care law needs to be repealed. It should be repealed and replaced with better ideas. And there are

better ideas—better ideas that were rejected by the majority in this Senate, who refused to listen, who refused to listen to the American people who were bringing forth better ideas, changes such as allowing people to buy insurance across State lines—that is going to bring down the cost of care, and it is going to help about 12 million people who did not have insurance get insurance; offering premium breaks to folks who make healthy lifestyle changes—absolutely critical; dealing with lawsuit abuse to help eliminate some of this defensive medicine and the increased cost of that practice. We need to allow small businesses to join together, to pool together in order to offer affordable health insurance to their workers, get better deals with insurance costs. These are changes that put patients in control of their medical decisions, not the government.

People ask me, as a doctor, what I think about this, what I think about this law. I will tell you, having practiced medicine for over 25 years, we need to do something. This wasn't it. This law is bad for people. It is bad for people who are patients. It is bad for people who are providers, the nurses and the doctors who take care of the patients. It is bad for payers, the taxpayers of this country who will foot a significant amount of the bill. The people who get their insurance through work—what is the impact going to be on those jobs and those businesses? This is a bill that is bad for people.

We can and we must fix a broken health care system, but we can do it without undermining choice, which is what this health care law has done; without undermining competition, which is what this health care law has done; and without undermining innovation, which is what this health care law has done. And we need to do it without raiding Medicare to start a whole new government entitlement program. We can do it without raising taxes that kill jobs in a bad economy.

That is why, as we are here today, 6 months after the enactment of this bill becoming law, the Obamacare law, 6 months later, 61 percent of the American people want it repealed. It is now time to repeal and replace this health care legislation and replace it with something that will work for the American people because that is what this country wants, that is what this country needs, that is what this country and the people of this country have been asking for all along, but the members of the majority and the White House refused to listen.

I yield the floor, and I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.  
The Senator from Georgia.

## CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE NATIONAL MEDIATION BOARD RELATING TO REPRESENTATION ELECTION PROCEDURES—MOTION TO PROCEED

Mr. ISAKSON. Madam President, I move to proceed to the consideration of S.J. Res. 30.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 hours for debate on the motion to proceed, with the time equally divided and controlled between the Senator from Iowa, Mr. HARKIN, and the Senator from Georgia, Mr. ISAKSON, or their designees.

The Senator from Georgia.

Mr. ISAKSON. Madam President, I yield myself up to 15 minutes of the time.

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

Mr. ISAKSON. Madam President, on May 11, 2010, the National Mediation Board, the board that oversees labor relations in transportation—in the railroad and airlines industries—finalized a regulation repealing the 75-year-old majority rule. Under the majority rule, a majority of the organizing unit was required to affirmatively vote yes to unionize. The repeal of this rule means that now a minority in the bargaining unit can organize, essentially permanently, the entire organization of the unit.

Today, I am asking this body to pass S.J. Res. 30 to undo this rule change under the procedures created by the Congressional Review Act of 1996. This law allows Congress to disapprove regulatory rules issued by Federal agencies by enacting a joint resolution of disapproval. This resolution will revoke a recent regulation promulgated by the National Mediation Board eliminating the old majority rule that had been in place for 75 years under 12 Presidential administrations.

Under the old rules, a majority of the workers in the organizing unit were required to affirmatively vote yes in order to organize. Under the new rules, however, only a majority of those voting are required to vote yes to organize a union.

Let me give you an example. If an organizing unit had 10,000 employees, under the 75-year-old rule, 5,001 would have had to vote affirmatively for a union. Under the new rule, if only 4,000 turned out to vote, only 2,001 would have had to vote affirmatively to be able to unionize. In fact, in large measure, it seems to me, it is kind of "card check lite."

There is no sound legal or policy basis for hastily changing a rule that has been in