

Mr. BUNNING. Mr. President, on rollcall vote 20, I voted “no.” My intention was to vote “aye.” Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above orders.)

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table, and the President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from North Dakota is recognized.

JOHNSON NOMINATION

Mr. DORGAN. Madam President, I will be brief. The vote that just occurred was a vote on the nomination of Martha Johnson, of Maryland, to head the General Services Administration. That vote was reported by the committee unanimously to the U.S. Senate on June 8 of last year—June 8 of last year. It has been blocked since that moment, and now we have a vote. We didn’t have a vote in July, August, September, October, November, December, or January; we had it now, 7 or 8 months later. After blocking it for 7 or 8 months, 92 Senators voted yes. Explain to the American people how you block a nomination for 7 months that you support. Try to explain that. In my judgment, it is a shameful disrespect for good government to block nominations for month after month after month.

The same is true with individual issues that are brought to the floor of the Senate. I will give you a couple of examples. An appropriations bill was blocked on the floor of the Senate, and then 80 people voted yes. A credit card holders’ bill of rights was blocked in the Senate, and then 90 people voted yes. The Department of Defense appropriations was filibustered in the Senate, and then 88 Senators voted yes on that.

If ever there were a demonstration for all to see how unbelievably broken this process is, it is today, once again, that after 7 or 8 months, a very qualified candidate, reported out unanimously from the committee of jurisdiction to head the GSA now gets 92 people to vote yes, which means we have a lot of people who block things they intend to vote for later. It is an unbeliev-

able example of why this place doesn’t work. A minimum amount of cooperation, in my judgment, would go a long way to helping make this place work the way it should. This nomination should have taken 10 minutes on the floor of the Senate last June after it was reported out unanimously by the committee of jurisdiction.

If I sound irritated by what is going on, I think a good many Members of the Senate are irritated by what I believe is a show of disrespect for good government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

MEDICAID READJUSTMENT RATE

Ms. LANDRIEU. Madam President, I know that under the previous arrangement, the Senator from Massachusetts will be giving his farewell remarks. I would like to speak for the next 4 minutes prior to him coming to the floor.

I spoke on the floor earlier explaining to my colleagues and providing some additional information about the fair resolution the Senate came to to help Louisiana and any other State that would have been similarly impacted through a very difficult Medicaid readjustment rate. I spoke at length this morning about that.

I want to show this chart that clearly outlines our particular and unique and disastrous situation. Since 1999, and before, the State of Louisiana—and the occupant of the chair was a Governor, so she knows—paid approximately 30 percent of our Medicaid dollars and the Federal Government picked up about 70. We are in the lower one-third of States on a per capita basis and have been since the Civil War, and we remain that way to this day.

What happened after Katrina and Rita was, because of the great generosity not only of this body and the Congress and the former President and the current President and private sector dollars—billions and billions of dollars poured into our State, driving our per capita income up an unprecedented 40 percent. That has never happened in the history of the Medicaid Program. The State that comes closest to a per capita increase, I believe—or several States increased by only 14 percent.

The bottom line is, if our delegation had not sought some fix, some arrangement, some workout of this problem, the people of Louisiana, who have been impacted by the largest disaster in recent memory, would have had to pay \$472 million more for basically the same program. The formula was flawed.

The point I want to make in my final minute is this: I am proud to lead this effort to fix this. The effort was not a secret effort; it was a public effort—called for by the Republican Governor, Bobby Jindal, in a press conference 2 weeks before Barack Obama was sworn in as President—to talk about this issue in a public forum, not a private

forum. It was not a last-minute effort; it started a year ago. It was not a special deal for me; it was a timely and fair resolution for the people of Louisiana—one which they still deserve.

The consequences of failure, in my final 15 seconds, are that the people of Louisiana, if this is not fixed—a health care issue on a health care bill—if it is not fixed, the people of Louisiana will have to either cut \$472 million out of our budget this year—and that is a lot of money out of a budget, even by Washington standards—or raise taxes.

I will continue to come to the floor to speak proudly, openly, and forcefully about this issue. I thank the Senator from Massachusetts for allowing me to clarify a few points.

I ask unanimous consent to have a group of documents printed in the RECORD to substantiate what I have said today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF LOUISIANA, DEPARTMENT
OF HEALTH AND HOSPITALS, OFFICE
OF THE SECRETARY,

Baton Rouge, LA, April 6, 2009.

Hon. CHARLES E. JOHNSON,

Interim Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR SECRETARY JOHNSON: Since Hurricanes Katrina and Rita struck the gulf coast in 2005, several federal agencies, including the Department of Health and Human Services, have contributed significant financial resources in the recovery effort. Many of the initiatives continue, and we are grateful for the ongoing work being done by HHS to assist Louisiana.

I write today to share with you what seems to be an unintended consequence of the bold financial initiatives undertaken since 2005. Billions of dollars have been infused into Louisiana’s economy following the damage caused by the failure of the federal levee system—dollars for which we are grateful, but which we also know are temporary by their nature. Unfortunately, as calculations are performed by the federal government to determine federal participation for Medicaid, it has become clear the federal formula for estimation of federal match for Louisiana has become significantly artificially skewed by the infusion of these dollars into the calculation of per-capita income.

Louisiana’s federal match for Medicaid typically has been expected to range somewhere between 69.6 percent and 73 percent with very small variations from year-to-year. However, according to forecasts provided by Federal Funds Information to States (FFIS), and our own calculations, it appears our FMAP will decline for FFY 10 from its current nearly 72 percent to 67.6 percent, and then again for FFY 11 to 63.1 percent. Similarly, our enhanced match for CHIP will decline from 80 percent to 74 percent. According to FFIS, these calculations are based on what appears to be a 42 percent increase in Louisiana’s per-capita income from 2005–2007—an increase otherwise not typical by any reasonable definition of income without the inclusion of the multitude of one-time recovery dollars included by the BEA in their calculations.

The federal formula for FMAP is deliberately established by Congress to utilize a three-year running average so as to avoid such sudden spikes or decreases. Even with such safeguards, however, Louisiana is facing the largest decrease in FMAP in the nation, and at an alarming rate, based on currently forecast expenditures, which assume