

Mr. HARKIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. It is the Presiding Officer's pleasure to recognize the Senator from West Virginia.

UNANIMOUS-CONSENT
AGREEMENT—S. 223

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that at 10:20 a.m., the Senate proceed to the consideration of the pending Nelson of Florida amendment No. 34; that there be 10 minutes of debate equally divided between Senator NELSON of Florida and Senator HUTCHISON or their designees; that upon the use or yielding back of time, the Senate proceed to a vote in relation to the amendment, with no intervening action or debate; that there be no amendments, motions, or points of order to the amendment prior to the vote; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. ROCKEFELLER. Yes, from me. Yes, it is at 10:20 a.m. on Tuesday. I ask unanimous consent that it be at 10:20 a.m. on Tuesday, February 8, that the Senate proceed to it and then the rest of the request be the order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Wyoming.

ORDER OF PROCEDURE

Mr. BARRASSO. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague, the Senator from South Carolina, Mr. GRAHAM.

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

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come today to the Senate floor as a physician who has practiced medicine in Wyoming for a quarter of a century, taking care of the families of Wyoming, and to do what I have done throughout the past year—provide a doctor's second opinion on this health care law people across the country are now coming to grips with as they finally are realizing what is in the bill or, as the former Speaker of the House, NANCY PELOSI, once said: First you have to pass it before you get to find out what is in it.

People are finding out what is in it, and people all across the country are

not happy. We know what the American people want. I know what the people of Wyoming want in terms of health care. They want the care they need from the doctor they want at a cost they can afford. That was the goal many of us had over a year ago when we started this discussion and debate on the Senate floor. What ultimately got passed—and many people believe crammed down the throats of the American people—is now a health care law where people are at risk of losing what they want and what they have.

The promises made by the President are such that they have turned to be, in many ways, unfulfilled. The President said this would actually drive down the cost of care—the health care law—that insurance rates would go down \$2,500 per family. What people have seen all across the country is the cost of their health care insurance rates going up instead of down. The President said: If you like the care you have, you can keep it. Now we know that a majority of people who get their health insurance through their work are not going to be able to keep the coverage they have liked.

So I come to the floor with my colleague, Senator GRAHAM, because we have introduced a bill, S. 244, the State Health Care Choice Act, which allows States to make a decision to say: Is this something we want in our State?

I will turn to my colleague from South Carolina before getting into the specifics. I know the Senator has visited with his Governor about the concerns his Governor has, a newly elected Governor who has concerns and actually addressed those concerns with the President about the health care law and the mandates on the people of South Carolina.

So I would ask my friend and colleague, are there things we as a body ought to be considering to make life easier for the people of his home State of South Carolina? And I can talk about things for Wyoming as well.

Mr. GRAHAM. Yes. If I may, Mr. President.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. No. 1, Senator BARRASSO, who is an orthopedic surgeon, has been a great addition to the Republican conference and to the Senate as a whole. He is a doctor and has practiced medicine longer than he has been in politics, I am sure, and he sees this problem from the physician's point of view, from the patient's point of view. And our Presiding Officer was recently a Governor.

Here is what my Governor is telling me: that Medicaid is a program that needs to be reformed, not expanded the way we are doing it. The second largest expense to the State budget in South Carolina is Medicaid matching money.

For those who are home who may be watching, Medicaid is a program for low-income Americans. It is a Federal program and a State program, but it is a Federal Government mandate that if

you reach a certain income level, you are eligible for Medicaid services to be administered by the States. But, quite frankly, the flexibility the States have is very limited, and this bill, the Obama health care bill, expands Medicaid eligibility to the point that 29 percent of the people in South Carolina would be Medicaid eligible.

Our State has an \$850 million shortfall in our budget. I think Wyoming is in pretty good shape, but I think we are probably closer to the average State. We have had a dramatic decrease in revenues, and the cost of complying with the Medicaid expansion in this bill would be \$1 billion to a State that cannot afford it. I am sure West Virginia is very similar.

So here is my commitment to the body. I would like to give the States an opportunity to speak as to whether they want the individual mandate, the Medicaid expansion, and employer mandate that I think adds a lot of cost to businesses that will decrease job opportunities at a time when South Carolina needs every job it can get.

But one thing we could do by passing this legislation is get this debate out of Washington, where everybody has kind of dug in their heels, and listen to the people. That is the one thing we have not been able to do.

This bill passed under the cover of darkness on Christmas Eve in a process that is not reflective of the hope and change we all would like to have. It was the worst of Washington. It is not as if the Republican Party has never, behind closed doors, passed bills on a party line. But we are all trying to break that formula. And this bill passed on a party-line vote on Christmas Eve. To get the 60th vote, quite frankly, was unseemly.

So what I am hearing from my Governor is, please give me some relief from a Medicaid Program that is drowning my State.

So after this opportunity comes to take the debate to the State level, I would like to join with Senator BARRASSO and the Presiding Officer and anyone else in this body who wants to come up with a way to fix Medicaid before it bankrupts all the States.

So this opt-out approach I think would make the debate more meaningful. It is not just about what people in Washington think; it is about what America wants and what Americans think. The best way to get their opinion is to allow them to speak at the State level.

So if my colleagues on the other side believe this is a great bill, then give other people a chance to validate what you think. We may be wrong. Senator BARRASSO and I may be wrong. We may be hearing criticism from this bill that is very limited and unique to Wyoming and South Carolina. I don't think so, but we will never know if we don't give people the chance to speak.

That is what this bill does. It allows States, if they choose, to opt out of the individual mandate and the employer mandate of Medicaid expansion.