

have to take money away from education. They are going to have to take money away from public services. They ought to have a right to make a decision at the State level as to what they want to do, what laws ought to apply.

One size doesn't fit all. I know what works in Wyoming is not necessarily what works in South Carolina or West Virginia and certainly may not work in California or New York. That is why States ought to make a decision about ways to help people in their own State get the care they need from the doctors they want at prices they can afford. This massive health care law does not accomplish that.

Mr. GRAHAM. One final question, and I do appreciate the Chair's indulgence. The whole idea of the status quo being acceptable is not what we are talking about. None of us believes the current health care situation is sustainable. Medicare and Medicaid need to be reformed, but so do private health care cost increases. There are monopolies out there by insurance companies. To be able to buy across State lines makes a lot of sense to me.

Briefly, if my colleague could, what does he see—I want to repeal the bill, not just to maintain the status quo, but to replace it with a bipartisan product that does improve quality and lowers costs. Is that the Senator's position, and how can we do that?

Mr. BARRASSO. There are things we mutually must do to make it easier and cheaper for people to get the health care they need, the doctors they want, at the price they can afford. Number 1, as my colleague mentioned, make it legal for people to shop around and buy across State lines. We can't do that right now in this country. That in itself, as studies show, would result in over 10 million Americans who don't have insurance today getting insurance.

Most people get their insurance through work for the simple reason that it is a tax deduction to the company they get their insurance through, but if they buy insurance personally, individually, they have to pay taxes on that money before they pay for the insurance. So I think people who end up buying their health insurance individually ought to get the same tax benefits as those who get it through work do. That would make a big difference in bringing down the specific costs to those folks.

I think we need to have incentives that help people actually stay healthy. I ran a program in Wyoming. I was a volunteer at a program called the Wyoming Health Fairs, bringing low-cost health screenings to people. I did health reports on television called "Helping You Care For Yourself," giving people information they could use to stay healthy.

This health care law has money in it aimed at prevention, but it basically has money for jungle gyms and street lamps and pathways, but actually no incentive to get somebody to get up

and exercise and get their weight down and their cholesterol under control, their blood pressure under control.

Then I think we have to do something about the lawsuit abuse out there, which drives up the cost of care as doctors order tests not necessarily to help the patient but to make sure they are not missing some very rare condition, and that significantly adds to the cost of care, in the billions and billions of dollars every year.

Mr. GRAHAM. On that note, I would say to the Presiding Officer and to my friend from Wyoming, there seems to be a lot of ways to lower costs. The status quo is not acceptable. The solution we have chosen in a very partisan way I think is going to drive up the budget deficit and eventually lead to more people being in government-run health care at a time when the government is broke and is, quite frankly, going to take the State budget problems and make them unsustainable just by expanding Medicaid.

Our bill is pretty simple. If you think this is a very good idea, let it be tested by your Federal citizens through an opt-out provision. If you think this is a bill that most people would opt out of if they could on our side, give them a chance. The lawsuit is important, but this is a decision the Nation needs to make, and the lawsuit is one way to approach this. But the best way to come up with health care solutions is not going to court but having the Congress and the States and the people of America work together in a partnership. That is what we have not been able to achieve—a partnership where we listen to the States and the people, and from their input we pass laws in a bipartisan fashion.

That is what I hope will happen.

Mr. BARRASSO. That is why we come to the floor to discuss S. 244. The title is State Health Care Choice Act. That is what it truly is—State health care, and choice. It is a choice to be made by the States about health care because if the American people want anything, it is flexibility, freedom, and choice.

Mr. GRAHAM. I thank my colleague. I have enjoyed the discussion.

I yield the floor.

Mr. BARRASSO. I yield the floor.

TRIBUTE TO MAJOR GENERAL THOMAS CUTLER

Mr. LEVIN. Mr. President, for the past 8 years, MG Thomas Cutler has been the leader of the Michigan National Guard. It has been my privilege to work closely with him in his efforts to keep the Guard prepared for its missions at home and abroad. The people of Michigan have benefitted greatly from his tireless efforts, and Americans and people around the world have enjoyed the benefits of his leadership of the men and women of the Michigan Guard who have served far from home.

General Cutler came to his position with extensive knowledge of the full

spectrum of the National Guard's operations, having served in command positions in Battle Creek, Alpena and at Selfridge Air National Guard Base, working not only with Air National Guard personnel but in joint operations as well.

Over his 8 years, he was an extraordinary advocate for improvements to the State's military infrastructure, improvements that made Michigan's people safer, served units from other States that use Michigan facilities for training, and contributed greatly to the welfare of Guard members and their families. The list of ribbons we have cut and of ground we have broken to modernize Michigan Guard facilities is extensive, and the result is some of the most modern facilities in the nation.

He also skillfully led Michigan through the implementation of the 2005 round of base realignments and closures, helping to ensure that Michigan would maintain flying missions at two Air Guard bases and that the Michigan Guard could continue to effectively fulfill its missions.

General Cutler has continually sought new opportunities for the men and women under his command. Most notably among these is the Michigan National Guard's engagement with the armed forces of Latvia and now Liberia through the State Partnership Program. This program uses the civil and military skills of the National Guard to aid the development of partner nation militaries while providing Guard personnel with unique opportunities to interact and build relationships with other militaries. Most important, General Cutler has focused on the people of the Michigan National Guard—on its servicemembers and their families. He has brought to his job a keen understanding of the challenges our citizen-soldiers and airmen face, and the sacrifices of their families and communities.

On January 8, General Cutler left his position as adjutant general of the Michigan National Guard. I salute General Cutler for his service to Michigan and the Nation. The men and women of the Michigan National Guard, who have so benefitted from his passion for the Guard, will long remember his service, and I shall look back on the many times we have been together as some of my best memories.

HONORING OUR ARMED FORCES

SPECIALIST SHAWN A. MUHR

Mr. GRASSLEY. Mr. President, I have the sad task today of paying tribute to Specialist Shawn A. Muhr of Coon Rapids, IA, who has fallen in the line of duty in Afghanistan. Specialist Muhr was serving with the 546th Transportation Company, 264th Combat Sustainment Support Battalion, 82nd Sustainment Brigade out of Fort Bragg, NC. He was 26 years old.

Shawn's family described him as "a gentle person with an adventurous