

However, African-American farmers had misgivings with the process of the Pigford settlement. Many farmers who joined the lawsuit were also denied payment. By one estimate, 9 out of 10 farmers who sought restitution under Pigford were denied. The Bush Department of Justice spent 56,000 office hours and 12 million contesting farmers' claims; and many farmers feel their cases were dismissed on technicalities.

I would like to remember what Congresswoman Eva Clayton, an African-American Democrat from North Carolina, said at a March 1999 Black farmers rally at the Federal Courthouse in Washington, DC: "There is reason to despair . . . There are several reasons why the number of black farmers is declining so rapidly. But the one that has been documented time and time again, is the discriminatory environment present in the Department of Agriculture . . . the very agency established to accommodate the special needs of farmers . . . Once land is lost, it is very difficult to recover . . . We stand here today in despair over this history. Yet, we also stand here today in hope that justice will prevail, and that the record will be set right for those farmers who have been wronged . . ."

Shortly after coming into office, President Obama's Secretary of Agriculture, Tom Vilsack, signaled a change in direction at USDA. The Secretary has declared "A New Civil Rights Era at USDA," and stepped-up handling of civil rights claims in the agency.

This year, Secretary Vilsack responded to concerns over handling of the original Pigford case, agreeing to a historic second payment in April, known as Pigford II, that would expand the settlement to farmers who were excluded from the first case.

We are here today to help put an end to this long-standing injustice. Pigford II is before us and will help make right this history of discrimination by one of our own government agencies.

I want to thank Leader REID for his unceasing efforts in bringing the Pigford II and Cobell settlements before us, and I thank others who came before me and those of us here today, on both sides of the aisle, who have advanced the force of justice on this issue.

I urge my colleagues to consider carefully this important question today.

The PRESIDING OFFICER. The Senator from Wyoming.

## SECOND OPINION

Mr. BARRASSO. Madam President, I come to the floor today, as I have week after week since the health care bill was signed into law, with a doctor's second opinion of the health care law. I do this as someone who has practiced medicine, taking care of the families in Wyoming as an orthopedic surgeon for

25 years; as someone who has been the medical director of the Wyoming Health Fairs, to give people low-cost blood screenings so they can have early detection of medical problems to help them find problems early. And early treatment following early detection is something that always works to keep down the cost of their medical care.

I wish to talk about the fact that we have seen again this week a new development, and the development this week is that the American people have spoken. They have done it in the Show Me State of Missouri. The Show Me State has shown Washington that they have rejected the President's takeover of the health care system in this country.

Like so many Americans, voters in Missouri are sick and tired of Washington forcing things upon them, telling them what they need to do, and now telling them what they need to buy—specifically in terms of the Federal mandate that people have health insurance, that they must go out and buy that or face penalties, taxes, fines related to the fact that they make a choice to not buy health insurance.

I think the voters are also tired of being ignored by Washington. That is why 71 percent of the voters in Missouri on Tuesday—71 percent, over 7 out of 10—who went to the polls rejected the demand by Washington that they be forced to buy a product, to buy health insurance. It is part of the law. It is a mandate. They have to have health insurance, have to buy it.

So how did the White House respond to this rejection of what has now been forced down the throats of the American voters? Well, Robert Gibbs, the White House Press Secretary, was questioned on this during the White House press conference, and he was asked what it means that voters in Missouri would vote against this Federal mandate, and Gibbs said "nothing." It means nothing. Well, to the voters of Missouri whom I have talked to, this is an insult. It does mean something. They expressed their opinion, and the White House said: Your opinion means nothing to us.

So instead of trying to address the concerns and fix the new law, right now the White House seems to be more focused on a slick public relations program. They have a whole campaign going.

It is interesting because the people of Missouri are not the only ones who are opposed to this law. Later this year, voters in a couple of other States will be voting as well on the impact and the mandate.

A new Rasmussen poll out just this past week says that 57 percent of Americans—I am talking about likely voters; that is how they polled this, likely voters—said this recently passed health care law, in their opinion, is bad for our country. So 57 percent of Americans feel the law that was forced down the throats of the American people, with the American people screaming:

Do not pass this law—even today, 57 percent of Americans, as they learn more and more about what is in the law, believe it is bad for the country. That is actually the highest level of pessimism about this law since the law was passed in March.

Support for the law continues to erode. So what happens? Well, the White House comes out with a public relations campaign, and once again they are setting their sights on America's seniors. They did it with a very expensive glossy mailer that went out to the seniors on Medicare. It looked to me like a propaganda piece—very misleading. Once again, they are focused on the seniors. Why? Well, because the seniors are those who are most opposed to the new health care law, the one that takes \$500 billion away from Medicare, not to save Medicare, the health care program for our seniors, but to start a whole new government program for someone else.

So this week, what happened? At the end of last week, the new director of Medicare and Medicaid, Dr. Berwick—and we have talked about him on the Senate floor. He is the one who had a recess appointment, the one who is in love with the British health care system, the new director who had the recess appointment who has never come to the Senate to share his answers with the American people. The American people have been denied the right to hear from him. He did not have time to share his views with the American people, but he did have time to introduce a slick new ad campaign to try to sell the new law to Medicare patients.

The health care law is out there now being promoted in a television ad for which the American taxpayer is going to have to pay the bill. The American taxpayers are going to pay the bill, and the ad stars Andy Griffith. During this ad—and we know Andy Griffith from Andy of Mayberry, the television show, and in later years, Matlock. He is used as the spokesman now to our seniors, telling seniors a number of things, making a number of promises. Let's go through them.

One is, he says seniors will have their "guaranteed benefits." Well, only in Mayberry does a \$500 billion cut equal better care for American seniors. Even the administration's own actuaries and own specialists in Medicare took a look at this, and they don't even agree with the commercials. They say the cuts are unlikely to be sustainable over time. They say that one in six hospitals and doctors offices related to Medicare providers are going to become unprofitable within 10 years, and many may be forced to close. They say the new law is going to jeopardize patient access to medical care.

Well, then Mr. Griffith says: "Well, more good things are coming." Well, what kinds of things for our seniors on Medicare? When you take a look at how the cuts are out there—there are cuts for home health, which is a lifeline for seniors who try to stay out of

a nursing home. There are cuts to nursing homes for Medicare. There are cuts in physical therapy. There are cuts to hospice, where many people spend the last days of their lives. There are cuts across the board. I do not know how that can be related to "more good things are coming."

The President's Medicare experts tell us that benefits aren't going to remain the same because things would happen with Medicare Advantage. One out of four people on Medicare is signed up for Medicare Advantage, and the reason they do it is because there are advantages of being on Medicare Advantage in terms of preventive care, in terms of coordinated care. There are good reasons people sign up for that. Yet there are going to be cuts there.

In the commercial, they also say the law will lower prescription costs, but the Congressional Budget Office estimates that is not true, that the cost of prescriptions will continue to go up.

There are people who look at ads, political ads, different kinds of ads. There is an organization called factcheck.org, and what they did is they said this commercial uses—their words are "weasel words," they say, to avoid telling the truth. Well, that is the fundamental problem. As much as most Americans love to hear from Andy Griffith, we would prefer to hear the truth from President Obama. Instead of spending hundreds and hundreds of thousands of dollars of taxpayer money—taxpayer money—on a misleading ad, the President should put this money toward the \$500 billion that has been cut from our seniors on Medicare.

The White House continues to believe the American people do not understand what is in the health care law, and they say that is the reason it is unpopular. They say that if more people understood the law, well, then it would be more popular. But week after week, something else comes out, another broken promise that makes people realize this is not good for them. It is not good for them as patients; it is not good for the providers, the nurses and doctors who take care of the patients; and it is not good for the payers, the people who are paying for their health care, the taxpayers of America. Across the board, people realize, as they learn more and more about what is in this law, that it is not good for them.

When I go to senior centers and visit with seniors, I say: How many of you believe it is going to cost you more for our health care? Every hand goes up.

Then I say: How many of you believe the quality of your care is going to go down? Every hand goes up.

You see the same thing if you go to a Kiwanis Club or a Lions Club or a Rotary Club, civic organizations, wherever you visit. Do you think the cost of your care is going to go up? Every hand goes up. Do you think the quality of your care is going to go down? The hands go up again. That is not what the American people want—paying more and getting less.

Well, I think the American people are really getting a good understanding of what is in this bill, and the people of Missouri have clearly reflected that Tuesday in the voting booth.

Earlier this week, I joined Senator COBURN, the other physician in the Senate—there are only two physicians who serve in this body—and other Members of the Senate in sending a letter to Secretary Sebelius, the Secretary of Health and Human Services. What we requested is that the Department stop running this ad, reimburse the U.S. Treasury for any taxpayer money spent on the ad, and explain which one of the accounts in Health and Human Services paid for this advertisement.

Take a look at this. We as a nation are \$13 trillion in debt, and the White House's ongoing propaganda campaign should not be funded by American taxpayers. And that is why, week after week, every week since this bill became law, I have come to the floor to give my second opinion about the health care law and to say that it should be repealed and replaced—replaced with something that is patient centered, not government centered, not insurance company centered, but patient centered. Allow people to buy insurance across State lines. That will help bring down the cost and will help more people to be insured. Give people who buy their own health insurance the opportunity to have the same tax breaks the big companies get. Give people who buy their own health insurance, and others, opportunities through nutrition and diet and exercise and taking responsibility for their own health care. Let them reap the benefits of that. Then, of course, we need to deal with lawsuit abuse and the expense of all of the unnecessary tests, the defensive medicine doctors all across the country will tell you they end up practicing.

Those are the things we need to do—and opportunities for small businesses to join together to bring down the cost of their care. With the individual mandate that is out there and the business mandate, we are seeing more businesses saying: You know, I am not going to want to provide health insurance under this new law. I will just pay the penalty and go on. That is going to make it harder for people.

Here we are with a huge national debt, high unemployment, and a health care law that, in my opinion, would best serve the country if it was repealed and replaced. That is why I come to the floor again today, the last day the Senate is in session, as Senators are heading out around the country to visit with those in their communities. I am hoping the American people continue to speak out and tell their elected representatives it is time to repeal and replace this health care law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. SCHUMER. Madam President, I am going to ask unanimous consent for a proposal on the border. First, I will speak for a minute and then ask consent. I know my colleague from Arizona will then speak and offer some amendments to it.

Today, I join my cosponsors—Senators REID, INOUE, MURRAY, FEINSTEIN, BINGAMAN, McCASKILL, CASEY, UDALL of Colorado, BEGICH, and BURRIS—to try to make our borders as secure as possible. We are asking unanimous consent to pass a smart and tough \$600 million emergency border security appropriations package that will provide immediate relief to the border.

Here is what our border security package will do: It will provide over \$250 million to hire 1,500 new agents to permanently patrol our southern border and ports of entry.

It will also create a strike force that will be deployed in different areas of the southwest border, depending on where the need is greatest at any particular moment.

It will provide funds to deploy unmanned drones to fly along our southern border and provide our patrol officers on the ground with real time information on unlawful border crossings. I believe there are seven working now. They have been very successful, and they should be expanded quickly and immediately.

It will provide funds to improve communications capabilities between Federal border enforcement and State and local officers along the border.

It will provide funds to construct forward operating bases for the Border Patrol to use that are actually located on the border instead of being hundreds of miles away.

It will provide funds for Immigration and Customs Enforcement to conduct investigations of drug runners, money launderers, and human traffickers along our border.

It will provide over \$200 million to increase the number of ATF, DEA, and FBI agents on our border because the focus on drug dealing and crime on our border is very important and has to be coordinated with immigration enforcement and bolster the number of prosecutors and court resources along our border so wrongdoers can be immediately brought to justice.

The best part of this border package is it is fully paid for and will not increase the deficit by a single penny. The emergency border funds will be paid for by assessing fees on foreign