

them, two advantages that will loom quite large after the experience of the Affordable Care Act: It can be passed with 51 votes in the Senate through the budget reconciliation process, and it's indisputably constitutional.

Conversely, if the Affordable Care Act not only survives but also succeeds, then Republicans have a good chance of exporting its private-insurers-and-exchanges model to Medicare and Medicaid, which would entrench the private health-insurance system in America.

That's not the strategy Republicans are pursuing. Instead, they're stuck fighting a war against a plan that they helped to conceive and, on a philosophical level, still believe in. No one has been more confounded by this turn of events than Alice Rivlin, the former White House budget director who supports the Affordable Care Act and helped Ryan design an early version of his Medicare premium-support proposal.

"I could never understand why Ryan didn't support the exchanges in the Affordable Care Act," Rivlin says. "In fact, I think he does, and he just doesn't want to say so."

### GOVERNMENT INTRUSION

Mr. ROBERTS. Mr. President, last Friday was the second anniversary of the new health care law. This week we have been reminding the American public to take a hard look at what is in it, and, more importantly, why I don't want to observe this anniversary again.

Examples such as the Medicare reimbursement formula that allows Massachusetts to set Statewide hospital reimbursement rates for providers equal to the cushy wages paid to providers at a 15-bed hospital on the island of Nantucket that caters to the East coast elite.

This robs 19 other States of money for their reimbursements because it all comes from the same pot. In short, there aren't enough clams at this bake to go around, certainly not to Kansas after Massachusetts is finished.

Or the Health and Human Services' rule that required qualified health plans to offer contraception benefits. As my colleagues know, religious institutions that hold moral objections to specific services expressed widespread concern with the rule.

In response, Senator BLUNT offered, and I cosponsored, S. 1467, the Respect for Rights of Conscience Act. This act would allow a health plan to decline coverage of specific items and services that are contrary to the religious beliefs of the sponsor, issuer, or other entity offering the plan without penalty and remain in compliance with the requirements under the new Health Care Law.

And what about the regulations that have caused insurance plans in 39 States to stop offering child-only plans, and parents in at least 17 States that are no longer able to purchase ANY child-only plans? Keep in mind, there are no private insurance alternatives for these families until the new health care law is fully implemented in 2014.

There is also the prohibition on what can be reimbursed from a Health Savings Account or HSA. I joined Con-

gresswoman LYNN JENKINS in introducing a bipartisan bill to repeal this provision to restore the choice and flexibility people had in managing their health care expenses by buying over-the-counter medications.

Even more alarming is the act of granting waivers to more than 1,700 labor unions and others from participating in the new law. At issue are the mandates involving annual coverage forcing many employers not to offer coverage at all. So instead labor unions and others are getting waivers. Where is your waiver? Why can't all Kansans get a waiver??

At the time, Speaker PELOSI famously said we had to pass the bill to find out what is in it. Well, we have read it, and my concerns which I voiced throughout the very limited debate remain the same: the health care reform law is bad for Americans.

The health care reform law. Regulates every Americans' health coverage, by penalizing anyone without a Government-approved health plan.

The law penalizes American businesses that do not provide Government-approved health plans.

It forces more Americans into Medicaid—a broken, bankrupt Government entitlement program.

It puts the Federal Government in charge of your health insurance.

By one count, the law creates over 159 new boards, offices, and panels in the Federal Government to make decisions about your health care.

The law gives the Obama administration Secretary of Health and Human Services more than 1,700 new or expanded powers—to exert control over the lives and personal health care decisions of Americans; creates an unworkable new long-term insurance program that will go broke, leading to skyrocketing premiums or a taxpayer bailout; levies more than \$550 billion dollars of taxes, fees, and penalties related to health care on American families and employers; and spends tens of billions of taxpayer dollars just to implement the massive new law.

The law micromanages how patients can spend their own tax-free health care dollars.

As of March 12, 2012, the total number of pages of regulations the administration has released related to the health spending law is 12,307, which is an increase of over 4,700 pages in the last year.

In addition to the formal regulations, the administration is also issuing hundreds of pages of subregulatory guidance in the form of "bulletins" to avoid having to describe how much these regulations will cost.

A significant portion of the regulations issued thus far have been interim final rules, which give the regulations the force of law prior to any public comment.

I have listed a number of these regulations in a letter I sent to President Obama. I did get a reply from Secretary Sebelius a few months later, but

it never did address the concerns I had tried to bring to their attention. She did, however, note that they listen to all stakeholders before implementing new rules. Unfortunately, that isn't what I've been hearing.

While I travel around Kansas I try to talk to as many of our Kansas patients, providers and advocates as possible. Without fail, regulations and their effect on our health care system, how they affect health care costs, and the result they have on job loss come up.

I held a stakeholder roundtable in Topeka to get feedback from patients and providers on their thoughts related to health care reform. I was not surprised to hear that every representative at that meeting had a concern with regulations, but the sheer volume was truly extraordinary.

I was surprised to hear every representative at this stakeholder meeting discuss the impacts of health care reform and, more importantly, their concerns with regulations, some of which are buried in the volumes of regulations being put out every day and many that defy comprehension.

When discussing the health care reform and regulations with my constituents and those representing the patient and provider community, the No. 1 concern that I heard was a fear of what else is coming down the road? What will the impact of future regulations be?

The current burden of regulations pales in comparison to the uncertainty of future regulations. Future regulations from implementing the Patient Protection and Affordable Care Act, PPACA, will have an even greater impact on jobs and the economy. This is like the second health care reform earthquake. If you are a health care provider, hang on.

Additionally, the combination of the regulations being issued to implement the PPACA statute has resulted in an increase in premiums for individuals and businesses, which, as you know, results in increased costs and tough choices.

Providers feel that the significant costs associated with implementing the health reform law are either inaccurate or not taken into consideration. In fact, I often hear that patients and providers feel that they do not have a voice in the regulatory process.

More specifically, a number of regulations are currently being issued through a shortened process. This shortened process allows limited or no input from those most affected by the regulations, prior to their implementation, and result in an even greater confusion. And from confusion we get higher costs.

It is my understanding that 20 of the 51 rules issued to implement the health reform law have been issued as interim final rules and therefore with limited input. While there may have been instances in which a shortened process was necessary or appropriate, this lengthy list is absurd.

In my letter to the President, I listed some 34 regulations that my Kansas constituents noted had the most significant impact. I encouraged the administration to limit the use of this regulatory process and take every available opportunity to get feedback from those who would be most affected by these regulations and allow for ample time to review and consider that feedback prior to implementing future regulatory priorities.

Time and time again, I have heard no more regulations will be issued in the shortened process, and yet the interim rules continued to be issued. I have heard that stakeholder comments will be thoroughly reviewed and considered, but the actions by the administration don't seem to prove this. I have heard that economic impacts will be carefully considered, and yet the studies indicate otherwise.

If history truly does repeat itself, I don't have much hope of that.

#### TRIBUTES TO SENATOR BARBARA MIKULSKI

Mr. CONRAD. Mr. President, I wish to add my voice to those of my colleagues paying tribute to the senior Senator from Maryland, who recently became the longest-serving female Member of Congress in American history.

Senator BARBARA MIKULSKI and I were first elected to the Senate at the same time. Over the past 26 years she has been a colleague, a legislative partner, and a friend. Courageous, determined, and honorable are only a few of the words I use when describing Senator MIKULSKI.

Senator MIKULSKI has devoted her life to public service. She began her career as a social worker in Baltimore, where she worked with high-risk children and educated seniors about Medicare. In 1971, she transitioned into politics by attaining a seat on the Baltimore City Council. As a council member, she continued to advocate for those in need. In 1976, she was elected to the U.S. House of Representatives, where she became the first woman ever to sit on the influential Energy and Commerce Committee. As a member of the House, she worked on a variety of important legislation, including funding for shelters for battered spouses.

Issues concerning women have always been a passion of Senator MIKULSKI's. From sponsoring the Lilly Ledbetter Fair Pay Act to being a leader in women's health issues, she has been a champion for women's rights.

Senator MIKULSKI was particularly helpful to me during the Grand Forks flooding in 1997. When our third largest city was devastated by flooding and fire, Senator MIKULSKI stood with Grand Forks residents every step of the way as we fought for Community Development Block Grant funding to recover and rebuild. Her support was critical. More recently, Senator MIKULSKI joined me in pushing for compara-

tive effectiveness research as part of health reform, so that patients and doctors can have better information on which treatments and medical interventions are most effective and which amount to wasteful spending.

Senator MIKULSKI is a fierce advocate for her constituents—and for working men and women everywhere. She will never back down from a cause she believes in, and she has compiled an impressive record of results. I congratulate her on being the longest-serving female Member of Congress.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to honor a true trailblazer, my colleague Senator BARBARA MIKULSKI. Earlier this month, she crossed a major milestone by becoming the longest serving woman in Congress.

Before she set her sights on Congress, Senator MIKULSKI worked as a community activist, social worker, and a member of the Baltimore City Council. In 1977, she was elected to the U.S. House of Representatives from Maryland's Third Congressional District. At that time, she was one of only 21 women serving in Congress.

She never let any misguided stereotypes or long odds slow her down. Ten years later, she won her first race for the U.S. Senate and in the process became the first Democratic woman elected to this Chamber from the State of Maryland. She immediately lent her voice to issues like education, health care, and national service.

Along the way, she has given a voice not only to families and the middle class but also sent a powerful message to women all across this Nation. If there were ever any doubt, they now know for sure that they deserve a seat at the table in Congress. And her message is being heard. Since Senator MIKULSKI first was elected to the House of Representatives, the number of women serving in Congress today has increased to 92.

I have gotten to know BARBARA well, especially through our work on the Senate Appropriations Committee. I know she would rather we focus on her accomplishments regardless of her gender, but Senator MIKULSKI has blazed an important path. Along the way, she has never forgotten the value of hard work that was instilled in her from an early age. She has also built the kind of working relationships you need to get things done.

There is a reason the people of Maryland have sent BARBARA MIKULSKI back to the Congress time and again. She is telling their story and making sure that every voice has a chance to be heard. I want to congratulate her on this milestone. It is an important one for her and her family, and I believe it is symbolic of the gains we have seen our Nation make since she first was elected to Congress more than 35 years ago.

Mr. SANDERS. Mr. President, in 1977, Jimmy Carter became our Nation's President, Elvis Presley died, and "Rocky" won the Oscar as best picture.

It was also the year my colleague, BARBARA MIKULSKI, came to Congress. She has served since then, for 10 years in the House and since 1987 in the Senate, with exemplary dedication to our Nation and its working families. Those of us who have had the pleasure to serve with her in the Senate and all the citizens of Maryland who have elected her to represent them celebrate this moment, for Senator MIKULSKI has become the longest serving female Member of Congress in our Nation's history.

BARBARA MIKULSKI is the first female Democrat to have served in both the House and the Senate, as well as being the first Democratic woman to be elected to the Senate without succeeding a spouse or father. She is, among all of us, truly a path breaker.

When she entered the Senate, there was only one other female Member of this body. Today, there are 17. BARBARA MIKULSKI has served as an inspiration, a leader, and a mentor to generations of women seeking to secure their rightful place as members of our Nation's highest legislative bodies.

Throughout her time in both the House and the Senate, she has worked tirelessly on behalf of the elderly, veterans, the poor, hard-pressed families, and our Nation's children. Daughter of a grocer, her roots are in Baltimore. She may have come a long way to play her important role here in Washington, but what makes her such a vital voice in Congress is that she has never lost touch with the values and needs of the blue-collar neighborhood of Highlandtown where she grew up.

BARBARA MIKULSKI entered politics as an activist and a populist, and she has remained true to that initial motivation. BARBARA MIKULSKI genuinely cares about the people of our Nation about all the people, not just the wealthy or the famous or the influential.

She understands the difficulties faced by working families as their incomes have been stagnant, as unions have declined, as disparities in wealth and income have widened dramatically. She is passionately committed to the importance of education for our young people, just as she respects and fights for our nation's elderly and their security as they negotiate the later years of life.

We serve together on the HELP Committee, on which she has long been a leader. No one, no one, better exemplifies the values of caring for those who are all too easy to forget working families, the elderly, the poor, the children than BARBARA MIKULSKI. Having worked with them both, I know how completely she has taken on the mantle of her friend Ted Kennedy and kept our committee focused on those whose needs are greatest.

As we celebrate the inspiration BARBARA MIKULSKI has been for the women of the Senate, Maryland, and the country, let's not forget that she has also been an inspiration to all of us. She has shown us how to fight for the powerless