



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, NOVEMBER 6, 2013

No. 157

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, November 12, 2013, at 2 p.m.

Senate

WEDNESDAY, NOVEMBER 6, 2013

The Senate met at 10:30 a.m., and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, every good and perfect gift comes from You alone, for with You there is no variation or shadow of turning. May we place our hope in You and never forget how You have sustained us in the past. Lord, give our Senators the wisdom to trust You in the small things, realizing that faithfulness with the least prepares them for fidelity with the much. May they trust You to do what is best for America in good times and in bad. Inspire each of us to stand for right even though the heavens fall.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the motion to proceed to S. 815, the Employment Non-Discrimination Act, will be adopted and the Senate will begin consideration of the bill.

Senators will be notified when votes are scheduled.

OBAMACARE

Mr. REID. Mr. President, Kimberly Cates is no stranger to the struggles that come with living without health insurance in America. She works at a health clinic that treats uninsured Kentuckians. The clinic does not provide its employees with health insurance. Over the last few years she has racked up \$15,000 in medical bills and recently filed for bankruptcy. Last week, after a month of considering her options, Mrs. Cates signed up for health insurance for the first time in many years. The plan will cost \$17 a month—I repeat, \$17 a month—and every hospital near her home will accept her new insurance. This is the difference ObamaCare is making, and Mrs. Cates is only one example of the success of Kentucky's new health insurance exchange created under the Affordable Care Act.

More than 1,000 Kentucky residents have signed up for affordable health insurance every single day since the exchange opened, according to the Huffington Post, which reported Mrs. Cates' story.

Across the country, in States such as Kentucky that have opened their own exchanges, Americans are signing up for quality, affordable, insurance plans, often for the first time in many years.

The national rollout of the ObamaCare Web site was rocky, to say the least. Problems with the site must and will be fixed. But we should not lose sight of important victories happening in living rooms and libraries and community centers across the country, victories like the one Mrs. Cates celebrated last week. ObamaCare

is more than a Web site. For tens of millions of Americans who have been living without insurance, ObamaCare is a lifeline. But rather than work with Democrats to fix the problems in this landmark law, Republicans in Washington are busy complaining about it instead. Meanwhile, Republican Governors in States such as Nevada, Ohio, New Jersey, and Michigan are helping more residents of their States access health care by expanding Medicaid coverage.

One Nevada woman contacted my office saying that she is counting the days until January, 2014, when her new health insurance plan will take effect and she can finally go to the doctor.

In the past she has been denied health insurance because of a pre-existing condition, but now she qualifies for a plan she can afford under Nevada's Medicaid expansion, led by Republican Governor Brian Sandoval. Thanks to ObamaCare, Americans like her can no longer be denied insurance because they are a cancer survivor, a woman, a diabetic, or had acne when they were younger. That is one of the many benefits of this new law.

Under ObamaCare, insurance companies will no longer be allowed to cancel your policy when you get sick or because you are a woman or set an arbitrary limit on the care you receive. In Nevada alone, tens of thousands of seniors have saved tens of millions on medicine because ObamaCare closed the gap in prescription drug coverage.

More than 3 million young people, including 33,000 young adults, stayed on their parents' health insurance plans because of ObamaCare, and hundreds of

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7837

thousands of businesses that already offer their employees health insurance are getting tax credits for doing the right thing because of ObamaCare.

A new study shows 17 million Americans have also qualified for tax credits to purchase coverage and many more are eligible for Medicaid because of ObamaCare.

Unfortunately, 5 million people living in States that did not expand Medicare eligibility are left out in the cold. It is shameful that Americans who simply want access to lifesaving medical care will be denied insurance for political reasons.

There is no better example of that than Texas. They have far more people who are eligible for Medicaid coverage who will not get it. That is unfortunate. We know that healthcare.gov is not perfect. I know that ObamaCare is not perfect. But ObamaCare is worth more than a Web site, and whenever Republicans are willing to stop complaining and are willing to start working to improve the law, Democrats are ready and willing to work with them.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Ms. HEITKAMP). The Republican leader is recognized.

OBAMACARE

Mr. MCCONNELL. Madam President, nearly every day we see evidence of more Americans losing their health coverage. Just take a look at this map right here to my right—105,000 losing their coverage in Idaho; 215,000 in Pennsylvania; 330,000 in Florida. Out in California it is getting close to 1 million. All of these people have lost their health coverage.

In my home State of Kentucky, which has been frequently referred to by some as a success story, let's get the facts straight: 280,000 people—probably on a per capita basis more than any other State in America—280,000 folks are losing their private insurance as a result of ObamaCare, despite the President's repeated promises that such a thing could not possibly happen. That compares, by the way, with only about 5,000 who have been able to sign up for new private care on the Kentucky exchange.

Let's go over that again. In my State, 280,000 people have lost their health care policies while 5,000 have signed up on the exchange. Most of the people in Kentucky who are signing up for something new are signing up for Medicaid, for free health care. I think we can stipulate that if you are giving out free health care, you are going to have more people sign up. But on the exchanges in Kentucky, 5,000 have signed up, and 280,000 have lost their policies. In other words, so far about 56 times as many Kentuckians have lost their private insurance plans as have gotten new ones on the State exchange.

That is hardly what most people would define as a success.

But, if ObamaCare has gotten off to a troubled start in Kentucky, the same is also true in many other parts of the country. That is why one of the most senior Democrats just said that ObamaCare is facing "a crisis of confidence." I certainly agree with her.

She cited the "dysfunctional nature of the Web site" as just one reason for the ebbing confidence. She also pointed to the "cancellation of policies" and "sticker shock" as two additional points of concern—cancellation of policies and sticker shock.

She is right. Americans are far less concerned about a Web site than they are about the availability and affordability of their health care. The White House has tried to dismiss stories about folks losing insurance by saying they had lousy plans to begin with and that those Americans should be happy—they should be happy that the government is now forcing them to get a different one. In other words, the government is smarter than they are. You had a lousy plan to begin with, so I am going to make you get a different one.

But what so many have discovered is that ObamaCare is actually worse. Take Matthew Fleischer. He is 34 and recently wrote to the Los Angeles Times to share his experience with ObamaCare. Matthew recently found out he would be one of those 1 million or so Californians losing their health insurance. He says he is being funneled into an exchange plan that would drive his premiums up by more than 40 percent. Here is some of what he wrote:

My old plan was as barebones as they came, so I assumed that even though the new plan would cost more, my coverage would improve under ObamaCare, at least marginally. It did not.

Under my old plan my maximum possible out-of-pocket expense was \$4,900. Under the new plan, I'm on the hook for up to \$6,350. Copays for my doctor visits will double. For urgent care visits they will quadruple. Although slightly cheaper plans exist if I tried to shop around on the exchange, I will lose my dental coverage [if I choose] to switch. Needless to say, I am not pleased.

He is one of numerous people who have been blind-sided since ObamaCare's debut last month. Look, our constituents are worried. They feel deceived. They are very upset, and they should be—not only with the law itself but with the way the administration has basically brushed their concerns aside, just brushed their concerns aside, concerns it does not seem all that interested in solving.

If the past 2 weeks are any indication, the administration seems far more concerned with shifting the blame. That is why the President's PR team has been scrambling to readjust his now-debunked promise, "If you like your plan, you can keep it." How many times did we hear the President say that over the last 3 years? But every new variation basically amounts to this—this is what it really amounts to:

If the President likes your plan, you can keep it. That is the truth. If the President likes your plan, you can keep it; not if you like your plan, you can keep it.

The truth is, all these rhetorical adjustments only prove the point. They are a tacit admission that the administration did in fact mislead the public about ObamaCare in order to pass it. Many of our friends on the Democratic side are starting to realize this too, and they are starting to panic. We have seen some of the most vulnerable Senators even putting forward proposals that might allow some folks to keep their plan.

From a policy perspective, we Republicans welcome that. We have long argued that Americans should be able to purchase the plans that suit their needs, not just the plans that meet with the President's approval. But the concern these Democrats are now showing seems hard to take seriously when you consider that they have continued to support ObamaCare for so long, even as Republicans, health officials, and policy experts across the country warned that exactly what is happening would happen. The fact is that back in 2010 the entire Democratic caucus voted against legislation that would have specifically allowed the Americans now losing their plans to keep them. I will say that again. Back in 2010 the entire Democratic caucus voted against legislation that would have specifically allowed the Americans now losing their plans to keep them.

This doesn't mean Republicans won't now consider good legislative proposals. Of course we will. But for Senators looking to absolve themselves of past ObamaCare mistakes, there is only one escape, and it begins with repealing ObamaCare, and it ends with working together on bipartisan reforms that can actually work.

The White House keeps promising Americans that once healthcare.gov is fixed, everybody's going to love ObamaCare, but it is hard to see how that could possibly happen. An IT guy is not going to give Americans their health care plans back. An IT guy is not going to make ObamaCare premiums any more affordable or its coverage any better. An IT guy is not going to allow Americans to keep seeing the same doctors they like or continue to go to hospitals that deliver the care they want. Let's not forget that there is no software fix for undoing the damage this law has already inflicted on the paychecks and lost hours of our constituents. There is no string of code for repairing ObamaCare's harm to jobs and to our country.

The President could not be more right when he says ObamaCare is about more than a Web site. It sure is. I could not agree more. It is about people. It is about the people we represent, folks such as Matthew Fleischer and Edie Sundby, whom I mentioned. Edie is