

example of why the Republican insistence on privatizing Medicare is hurting America's seniors. In one of my local papers back in New Jersey, the Bergen Record, there was an article about a pharmacist who has been trying very hard under tough circumstances to help his customers with this new Medicare program. One of the customers needed a 25-milligram version of a drug because her doctor found that the 50-milligram pill was causing too many side effects. When the pharmacist filled the 25-milligram prescription, the Medicare drug plan, run by United Healthcare, said they will not cover the 25-milligram, the smaller milligram, version. It is hard to understand.

United Healthcare told the pharmacist to cut the 50-milligram pills in half. The pharmacist correctly told the insurance company that it was a sustained-release drug and cutting it in half would make the pill ineffective. After waiting for some time on hold with United Healthcare, the pharmacist was told the customer would have to go back to her doctor and ask the doctor to file an appeal with United Healthcare, looking for special permission to get the smaller dose of the pill.

That is what real seniors are going through every hour, every day under this drug program.

I want to talk about United Healthcare in particular. United Healthcare paid its CEO, William McGuire, \$124 million last year. That is right. The CEO of United Healthcare made almost \$124 million in 2005. Now, if they were making widgets, that would be all right. But they are supplying health care to seniors and having this man walk away with millions of dollars—when the people who need health care are paying for it—it is not right. Those people are paying for that kind of a salary, that kind of an asset base.

The seniors in my State are upset, while the real beneficiaries of the Republican Medicare bill are still paid these outrageous salaries. It doesn't make sense. It is a disgrace.

The question has been asked: Should we scrap this program and do a real Medicare drug benefit? Maybe. But I would say this to the American people: As long as the same group is running this Congress, you are going to see more of the same happening. All we have to do is look at the condition that we find ourselves in over in Iraq, not knowing whether we are going or whether we are staying, and lives are still being lost. The cost for that war is going to be somewhere around half a trillion dollars before this year is over, and we are funding it with supplementals that carry all kinds of pork-laden projects. The management is terrible.

Management of the environment is terrible, when we look at what is happening and we see that snowfields in Mount Kilimanjaro in Africa that were there since the beginning of time will no longer be there in a few years, when

we see that Glacier National Park will soon not have a glacier there, having had glaciers there since the beginning of time. The glaciers are melting in front of our eyes. If you look at pictures of animals up in Alaska, such as the polar bear, they are scrawny. They don't have the body size they should have when they are not getting sufficient nourishment. There is nothing being done about that. There is nothing being done about global warming as the Earth that we live on gets warmer and as the threats of flooding all over the seacoast States and communities becomes more and more apparent. So there is a question of competency that we have to look at. It is certainly not reflected in this Medicare plan.

Although it is late, I wish the President would show some good heartedness and say: You know what, seniors of America, we are going to help you. We know you can't get through this Medicare drug plan in time, so what we are going to do is delay it a few months. What is the big deal? I don't get it. Instead of permitting people to adequately review these plans so they can understand what they are getting into, there is a push to sign up. It is one that I don't understand.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I understand we are in morning business?

The PRESIDING OFFICER. We are. That is correct.

SMALL BUSINESS HEALTH PLANS

Mr. ALLARD. Mr. President, I am going to speak under morning business on Senate bill 1955, the small business health plans legislation that is going to be before us shortly for formal debate. I come to the floor to talk about a piece of legislation that is important to my Colorado constituents. I would like to talk about the Health Insurance Marketplace Modernization Act, sometimes known as HIMMA.

This legislation, which is also known as the small business health plans bill, would allow for small businesses to come together to form a group which could then use their combined purchasing power to influence insurance companies for affordable health plans.

It has been suggested that those who serve in the Senate have no understanding of what small business folks are going through and that most of us have never been faced with the reality of having no health insurance and therefore don't understand the plight of the small businessman. I come to dispel that rumor. I am a former small businessman who couldn't afford the cost of health insurance for myself or for my employees.

My wife and I discussed options for ourselves and for our employees. Similar to many other small business owners across the country, we decided it

would be better to raise our employees' rate of pay and allow them to purchase their own individual plans. My wife and I decided to begin setting aside our own savings account to pay for health care costs in case, for some reason or another, I had an incident or she had an incident where we needed to go to the hospital and thus needed health care coverage.

Being a veterinarian and lifting heavy dogs onto the exam table all the time, and not expecting the dog owner to pick up the other half of a giant breed such as a Great Dane, I ended up having back problems and had to have back surgery. I didn't have health insurance, but I paid for it myself out of my own pocket. Fortunately, my wife and I had the foresight to set aside a savings plan so that if something such as this did happen, we could pay for it. But it did set us back.

We were able to survive that particular incident. It was kind of an interesting thing, what happened to me when I went to go to the hospital. The administrators didn't want me to go into the hospital. The hospital would not let us in because we did not have health insurance. I said: Well, I will pay for it. When we got in there, I had the surgery, and I did very well, and I am very active today. The doctors did a great job on surgery. When we checked out of the hospital, the administrator said that they would reduce our costs by 20 percent because they did not have to deal with the paperwork and with the cost of having to process my claim. So much of the paperwork is driven by trying to protect the hospital, the doctors, and the administrators from frivolous lawsuits. That has been my personal experience.

I must admit I was disappointed when, earlier in the week, Members of the Senate chose to side with trial lawyers instead of women and children. And I was disappointed that Members of the Senate decided to support turning the medical profession into a cash cow for the legal profession instead of allowing for legitimate compensation.

Again, in a matter of minutes, we will be debating the small business health plans bill and another attempt to bring down the high cost of health care, specifically for working class families who are employed by small businesses that, similar to my own situation, cannot afford to provide health insurance for their employees.

I think it is important for us to focus this debate on at least giving small businesses the opportunity to make a choice on providing health care for themselves and for their employees. Currently, because of the prohibitive cost of health care coverage for their employees, many small business employers don't even have the option of offering coverage.

Some of my constituents have brought to my attention over the past few weeks their worries that because of the lack of insurance benefit mandates, they could lose important benefits such

as diabetes services and supplies, and coverage of preventive services such as colorectal screenings and mammograms. These worries are unfounded. Today there are over 1,800 different State mandates for health care coverage, including different coverage mandates in different States for the same preventive care, services, and supplies. This huge variation in mandates has made it nearly impossible to provide standardized coverage on a national basis.

Additionally, the Government Accountability Office, which is an agency which helps to watch our dollars, has also found that the cost of mandates to a typical plan results in an increase between 5 and 22 percent. The Congressional Budget Office, another dollar-watching agency, estimates that for every 1 percent increase in insurance costs, a minimum of 200,000 Americans are left uninsured.

Facts suggest that things such as diabetes services and supplies and preventive services such as mammograms and colorectal screenings are usually covered by health plans, regardless of the State mandates. For example, the five most populous States require that diabetes care be covered. According to the American Diabetic Association and the GAO, only 4 out of 50 States do not require diabetic coverage.

The General Accounting Office also studied States that are not subject to mandated coverages of diabetic services and supplies. Despite not being subject to mandated requirements for coverage, several of the largest plans and many of the largest Fortune 500 companies provide comprehensive coverage for diabetes care.

This factual evidence also applies to preventive services such as cancer screening. The Government Accountability Office found that the majority of States that do not have mandates continue to provide coverage in a majority of their employer plans for cancer screening.

The bottom line is that the small business health plan bill makes logical sense. It will give small business owners what they want and what they need, and they will offer insurance coverage for their employees. It makes logical sense that plans covering preventive care will be offered because preventive care costs less in the long run. It makes logical sense that small business owners who currently cannot provide their employees with health care would purchase coverage because it is more affordable.

It is important to note at this point that a small business owner who buys health care coverage is also naturally subject to the same health care coverage that he provides his employees. Small business owners are pushing for health insurance coverage for themselves and their employees, which they otherwise could not afford. It is not logical that they would pay money for a plan that does not provide them with medical coverage. Also, the point of

small business health plans is so that small businesses can join together to use joint collaboration to get their health care needs met.

I support the legislation because I support giving small businesses a choice. I support giving small businesses the opportunity for health care coverage that they currently do not receive. I support giving diabetics the opportunity for health care coverage, instead of leaving them completely without services and supplies. I support giving small business employees the opportunity for cancer screening and preventive care, instead of leaving them with nothing and no opportunity to provide health care for themselves and their families.

I urge my colleagues to support the small business health plans legislation, and I urge my colleagues to vote in favor of Senate bill 1955, the Health Insurance Marketplace Modernization Act. I urge my fellow Senators to give small businesses the opportunity to access health care for themselves and their employees.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Mr. President, I come to the Senate floor to speak about getting some long overdue help for small business men and women in Tennessee who have really been struggling to afford health insurance for themselves, their employees, and their families. We have an opportunity in this body to do something about it. This is not some abstract discussion we are having here; this is about something every single one of us hears—at least I know I hear it. Whether I go to Mountain City or Sevierville or Lexington or Memphis—wherever I go in Tennessee, a small business man or woman says to me: We cannot afford health care costs; we need some help.

We have some help. We have a proposal by Senator ENZI that will provide some help to small business men and women. Now is the time for us to act. Now is the time for the people of this country who are listening to this, who know we need this, to say to Senators: Let's go. Let's do this. Let's take the Enzi bill and reduce health care costs for small businesses across this country, and at the same time let's cut into the millions of Americans who are uninsured because the people for whom they work cannot afford to offer them health care insurance.

Here is the situation in Tennessee. We have well over 2 million people at work in Tennessee, and 97 percent of all businesses are what we would call small businesses. So that is whom we are talking about in our State—more

than 2 million people who work, many of whom are working for companies that cannot afford to provide them health care insurance or are gradually reaching the point where they can't give them that benefit anymore. Increased health insurance costs are driving employers and families away from comprehensive coverage. Increased costs are taking away the opportunity for a working family in Tennessee to be able to work for a company that can offer a basic insurance policy that the family and the employer can afford. What we are doing this week is moving away from that situation. What we are doing in the Senate this week and next week is providing an opportunity to change that situation.

Dennis Akin runs the Wash Wizard car wash in Hendersonville, TN. We are not talking about big-time CEOs who make \$350 million a year and fly corporate jets somewhere. We are talking about Dennis Akin who runs the Wash Wizard car wash in Hendersonville, TN, just outside of Nashville. This is what he says:

I am currently providing health care for all my employees and their families. The cost at the present time is over \$44,000 per year for 5 employees, up 28 percent from last year. The premiums have escalated at about that rate for the last several years, and twice I have had to drop to plans with lesser coverage to be able to pay the premiums.

Dennis Akin went on to say:

We really need to be able to find some kind of relief or we'll have to reduce our benefit level to where the financial burden on my staff could be devastating. In a business as small as mine health care costs are my largest expense and there seems to be no end in sight.

According to the Kaiser Family Foundation, about a third of Tennessee firms with 50 or fewer employees offer health insurance to their employees. In contrast, 95 percent of Tennessee firms with 50 or more employees offer health insurance to their employees.

Our economy is not static. It changes all the time. Every year, we lose an estimated 5 to 8 percent of our jobs. That is a lot of jobs. That is between 100,000 and 150,000 jobs just in Tennessee. The good news is we have the strongest economy in the world and we are gaining more jobs than we lose. But where do those jobs come from? They don't primarily come from Federal Express or Eastman Chemical or the Aluminum Company of America or DuPont. We are glad to have all those great employers in Tennessee, but most of the new jobs come from the Wash Wizard car wash in Hendersonville, TN, and companies like that. These are new companies, small companies. They may be adding two or three employees a year. Currently, only a third of those firms, those firms with 50 or fewer, can afford to offer health insurance of any kind to their employees.

What does that mean? That means that most Tennesseans are simply left without any access to health care that they can afford because in our country, the way things are today, most people

get their health insurance from their employer. Maybe that is not the way it should be. Maybe 10 years from now, we will be in a different sort of system. But since World War II, that has been the way it has been. By an accident of our history, most Americans get their health insurance at the place where they work.

What we are saying is, in States such as Tennessee, and all across this country, only a third of the people who work for small businesses—which is where 97 percent of the people work—can get a health care plan there. No wonder we have a lot of uninsured people, and no wonder we have a lot of families worrying about the rising cost of health care.

The reason we are having this debate is the chairman has a bill that will fix that situation. It will lower health care costs for small businesses and help families be able to afford a basic health insurance plan. Every American ought to want that to succeed, and we need to pass this bill. We need to do this, and it is important for the American people to know that we intend to bring this to a vote in the next few days.

The discrepancy between what is available in the big companies and what is available in the small, independent companies is absolutely unfair. There is no reason for it.

Earlier this month, the National Federation of Independent Business, Tennessee's largest small business advocacy group, delivered 10,905 petitions in support of this bill signed by small business owners in Tennessee who want lower health care costs. We must make health insurance affordable for Tennessee's small business owners and for working families.

How will the Enzi bill help? When I say the Enzi bill, that is the chairman of the committee who has worked on this bill and who has been able to work through a lot of obstacles that prevented this from happening in the Senate before.

The Small Business Act—a fancy name is the Health Insurance Marketplace Modernization and Affordability Act—I, like Chairman ENZI, like to call it the Small Business Health Insurance Act. That is a pretty good name because that says what it does. Here is what it will do.

It will allow businesses and trade associations to band their members together and offer group health insurance coverage on a national or regional basis.

It will empower small business owners and give them the opportunity to choose a health plan that is best for their families and best for their employees. This bill will promote lower costs and greater access to health care. Lower cost means the employer can afford it. The plan itself, with the employee contribution—if the employee can afford it—being available means there will be more access to it. It will do that by, No. 1, permitting the creation of fully insured small business

health plans; No. 2, creating more options in benefit design—in other words, you will have more choices; if you want this or this, if you can't afford that, you can try this—and, No. 3, it harmonizes insurance regulations across State lines while keeping States as the primary regulators.

I am a former Governor. I am for States rights. You often see me on the Senate floor asserting the principle of federalism. I believe strong States and strong communities are important for our country and that we ought not be constantly passing national solutions to problems without recognizing that.

But I believe the Enzi bill properly respects the principle of federalism. It protects State oversight. It protects State authority. I also believe it is important to have a level playing field for everyone in the market—and the bill does that as well.

A study prepared by the Milwaukee firm of Mercer Oliver Wyman for the National Small Business Association found that the Enzi bill would, one, reduce health insurance costs for small businesses by 12 percent, about \$1,000 per employer, and reduce the number of uninsured and working families by 8 percent, approximately 1 million people nationwide would have basic health insurance who today don't have it.

This bill would cut the cost of health insurance for small businesses, which is 97 percent of where the people in my State work. That is No. 1. No. 2, it reduces the number of uninsured and working families by 1 million people across this country.

This is a piece of legislation worth passing. It actually does something for somebody. This is a rare opportunity to help small businesses. It is a real milestone moment, and Chairman ENZI is to be commended for getting the bill this far.

The House of Representatives has passed this legislation, on which the Presiding Officer served, and I am sure he has voted for it three, four, or five times over in the House of Representatives. But then it gets over here to the Senate, and we have been in gridlock for 10 years on this issue. The House of Representatives has passed this legislation eight times, and for 10 years we haven't been able to find a way to say we are going to reduce the health care costs for small businesses by 12 percent and decrease the number of Americans who are uninsured, that we are going to give 1 million of them insurance. That was until Chairman ENZI set his sights on trying to unravel the stalemate. He did it. He got the small business community together with the insurance commissioners and the insurance companies all around one table to discuss how to make it work.

We need to take advantage of this rare opportunity to help the small business men and women in Tennessee and across this country to find affordable health insurance by passing this important legislation.

We have said on the Republican side that this is Health Week; that we have

heard the American people; we know that there are uninsured Americans; and, we know that small businesspeople are struggling. They are struggling with the cost of runaway litigation. We are trying to stop that, but the other side of the aisle blocked that twice this week when we put up legislation that would have given mothers and babies a chance to be better served by OB/GYN doctors.

Who can be against that? The other side of the aisle was against it. They basically kept Tennessee mothers who are pregnant from having a chance to be served by OB/GYN doctors. Now they have to drive a long way to have their babies. Unfortunately, they are going to have to keep driving because the other side of the aisle said, no; you are not going to even be able to vote on that.

Now we have moved to the next issue that will help small business. If we couldn't this week help mothers who are about to have babies by giving them better access to health care, at the very least we can take the Enzi bill and pass it and say to the thousands and thousands of realtors, to the thousands and thousands of barbershops, gas stations, and say to Dennis Akin who runs the Wash Wizard car wash in Hendersonville, TN, we can say to the small businesses in Tennessee—which is 97 percent of all the businesses—we will cut your insurance costs by 12 percent, or at least give you that option, and to the people of this country we will increase by 1 million the number who are able to get insurance.

This legislation is a good piece of legislation to help lower the cost of health insurance. I hope very much that in the next several days we can pass it. The House has passed it eight times. We can at least pass it once, and then the American people will see that we hear them and we are doing the job they want us to do.

Thank you. I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. ALEXANDER. Mr. President, on behalf of the leader, I ask unanimous consent that at 2 p.m. the Senate extend morning business until 2:30 p.m. with the time equally divided between the majority and minority, and upon conclusion at 2:30 p.m. the majority leader be recognized.

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

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. KENNEDY. Mr. President, I will yield myself such time as I might use.