

above all, in my brief time today I want to focus on his commitment to improving K through 12 public education in the United States and expanding access to higher education, especially for those of modest means.

As my colleagues know, ROBERT C. BYRD was raised in the hardscrabble coal fields of West Virginia. His family was poor but rich in faith and values. And his parents nurtured in young ROBERT BYRD a lifelong passion for education and learning.

He was valedictorian of his high school class but too poor to go to college right away. Of course, that was in the days before Pell grants and loans and Byrd Scholarships. So he worked as a shipyard welder and later as a butcher in a coal company town. It took him 12 years to save enough money to even start college.

He was a U.S. Senator when he later earned his law degree. No other Member of Congress before or since has started and completed law school while serving in the Congress.

But degrees do not begin to tell the story of the education of ROBERT BYRD. He is the ultimate lifetime learner. It is like for the last seven decades he has been enrolled in the Robert C. Byrd School of Continuing Education.

Senator BYRD's erudition has borne fruit in no less than nine books he has written and published over the last two decades. We all know that he literally wrote the book on the U.S. Senate—a masterful four-volume history of this institution that was an instant classic that will bear the burdens of time. What my colleagues may not know is that he also authored a highly respected history of the Roman Senate. Now, there are some who think ROBERT BYRD served in the Roman Senate, but that part of the Byrd legend just is not so.

I have talked at length about Senator BYRD's education because this explains why he is so passionate about ensuring every American has access to a quality public education—both K through 12 and higher education.

One thing Senator BYRD and I have in common—and we always kind of talk about it when we get together—is we are the only two Senators whose fathers were actually coal miners. We are both the sons of coal miners, neither of whom had very much formal education. My father only went to the 8th grade. Actually, he only went to the 6th grade, but we will not get into that. But, anyway, he said he went to the 8th grade, but, like I said, I will not get into that. But coming from a poor background, Senator BYRD believes, as I do, that a cardinal responsibility of government is to provide a ladder of opportunity so everyone, no matter how humble their background, has a shot at the American dream.

Obviously, the most important rungs of that ladder of opportunity involve education—beginning with quality K through 12 public schools, and including access to college, vocational edu-

cation, and other forms of higher education.

During my 25 years in this body, no one has fought harder for public education than Senator ROBERT BYRD. As the longtime chairman and still the senior member of the Appropriations Committee, he has been the champion of education at every turn—fighting to reduce class sizes, improving teacher training, bringing new technologies into the classroom, boosting access to higher education.

In 1985, he created the only national merit-based college scholarship program funded through the U.S. Department of Education. Congress later named them in his honor. Originally, the Byrd Scholarships consisted of a 1-year \$1,500 award to outstanding students. Today, Byrd Scholarships provide grants of up to \$6,000 over 4 years.

Senator BYRD is a great student of literature, and I am sure he knows *The Canterbury Tales*—a lot of it, probably, by heart. Describing the Clerk of Oxford, Chaucer might just as well have been describing ROBERT C. BYRD. Chaucer wrote:

Filled with moral virtue was his speech;
And gladly would he learn and gladly teach.

Senator BYRD is a great Senator and a great American. He has both written our Nation's history and left his mark on it. It has been an honor to serve with my friend, my longtime chairman, Senator BYRD, for the last 25 years.

Today, as he reaches yet another historic milestone that no other Member of Congress has ever achieved—and I daresay probably no one ever will—we honor his service. And we express our respect and our love for this remarkable U.S. Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

CONGRATULATING SENATOR ROBERT C. BYRD

Mr. ALEXANDER. Mr. President, I am glad I had the opportunity to hear the comments of the Senator from Iowa on Senator BYRD. We all have enormous respect for Senator BYRD. I had a chance this morning to say a word about him and to reflect on, among other things, that when I first came here as a young aide 42 years ago to Senator Baker, Senator BYRD had already been here for 10 years as a Senator.

So it is quite a span of history, and all of us have many stories, including the instructions he would give us to stand behind our desk when we vote, and not work at the table when we preside. He kept order in the Senate, and we are grateful to him for that.

HEALTH CARE REFORM

Mr. ALEXANDER. Mr. President, I would like to say a word about health care. The Democratic leader, Senator REID, today announced that he has

completed work on a health care bill. We have been waiting for that. It has been written behind closed doors in Senator REID's office for the last several weeks, so we have not known exactly what might be in it.

We have had two pieces of legislation from the Senate, one written by the HELP Committee, upon which I serve, another one from the Finance Committee. Now a bill has come from the House of Representatives. It has actually been passed there. Now the Democratic majority leader will be bringing forward his version of the bill. The bill seems to grow each time we have a new one—a little faster than the Federal debt grows even. This one seems to be another 2,000-page, trillion-dollar bill.

But the point I want to make tonight is that the American people's response to this work will be what all of ours should be: We want to read the bill. We want to know what it costs. And we want to make sure we have time to understand exactly how it affects the health of each American.

This is the most personal kind of debate we could have about the health of every single American. It affects 17 percent of our economy. It is a dramatic proposal, an enormous amount of money, at a time when our debt has reached \$12 trillion. A great many Americans are concerned about Washington, DC, because we do not seem to have a check and a balance on the various proposals for Washington takeovers, more debt, more spending, more taxes. Tonight I would like to do a simple thing, which is not to make a Republican speech but to read a letter, or parts of a letter, and insert it in the RECORD, that was written by eight Democratic Senators on October 6 to Senator REID.

I think their words say a great deal about this bill and about how we should proceed on it. The letter is dated October 6, from eight Democratic Senators. It says, in part:

Dear Leader REID:

... Whether or not our constituents agree with the direction of the debate, many are frustrated and lacking accurate information on the emerging [health care] proposals in Congress. Without a doubt—

Say these eight Democratic Senators—

reforming health care in America is one of the most monumental and far-reaching undertakings considered by this body in decades. We believe the American public's participation in this process is critical to our overall success of creating a bill that lowers health care costs and offers access to quality and affordable health care for all Americans.

And then, if I may read a couple more paragraphs from the letter from these eight Democratic Senators to the Democratic leader:

Every step of the process needs to be transparent, and information regarding the bill needs to be readily available to our constituents before the Senate starts to vote—

“to vote”——

on legislation that will affect the lives of every American.

The eight Democratic Senators continue:

The legislative text and complete budget scores from the Congressional Budget Office of the health care legislation considered on the Senate floor should be made available on a website the public can access for at least 72 hours prior to the first vote to proceed to the legislation.

Let me read that again. That is not 40 Republicans—although all 40 of us agree with it—this is eight Democratic Senators to the Democratic leader: “The legislative text,” No. 1, the “complete budget scores,” No. 2, “from the Congressional Budget Office,” posted on “a website,” No. 3, for “72 hours” before “the first vote to proceed on the legislation.”

The distinguished Democratic leader’s announcement was only made a few minutes ago, but my understanding is we do not yet have a complete legislative text. Hopefully, that will come tonight or in the morning.

Second, I understand the estimates from the Congressional Budget Office are preliminary estimates. This letter says: “complete budget scores.” We know what a “complete budget score” is around here. It was talked about in the Finance Committee debate. The Director of the Congressional Budget Office said a complete estimate of the health care bill would take about 2 weeks to do. So the question is, Do they have it? And then: “72 hours” before “the first vote to proceed.”

So I think the eight Democratic Senators, along with all 40 Republican Senators, have a bipartisan agreement here on how we should start this debate. We want to be able to read it, we want to know what it costs, and we want to see how it affects every American. That means, No. 1, a complete text. No holes, no “We will get back to you later” a complete text. No. 2, a complete estimate. Those are these words here: A complete estimate of the cost and how it affects every American. And third, for 72 hours on the Web site so not only we in the Senate but our constituents, the people who expect us to weigh in on this, have a chance to read it before we have our first vote, which I don’t think is scheduled.

There is other language here, but I ask unanimous consent that this letter from the eight Democratic Senators of October 6 to the Honorable HARRY REID be included in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. ALEXANDER. Mr. President, the last thing I would say is this: I think it is pretty obvious why we want to read the bill and know what it costs and understand how it affects the health care of every American, which it will, but in case anyone is wondering why we want to read the bill, it is because the bills we have already seen increase insurance premiums, raise taxes, and cut Medicare. That is what we have seen from the two Senate bills and the House bill. We on the Republican side think this ought to be about reducing costs, reducing premiums, but the

Democrats’ proposals increase premiums, increase taxes, and cut Medicare. Not only does it cut Medicare in the bills we have seen so far by \$400 billion or \$500 billion; it doesn’t spend it on grandma, it spends it on somebody else, even though the Medicare Program, the trustees tell us, will begin to go broke by 2015.

There are some other problems with the bills we have seen before, so we would want to be able to ask these same questions about the new bill we haven’t yet seen but we are about to see.

On Medicare, how big are the cuts? Then we hear in this new bill there are Medicare taxes, new Medicare payroll taxes. On which employees or which employers? And if their taxes are raised, are they spent to make Medicare solvent or are they spent on a new program? It is inconceivable to me that we could be even thinking about having savings in Medicare and spending it on something else when Medicare is about to go broke.

Then there are some other questions. The Democratic leader said it doesn’t add to the debt. I hope he is right, but we have questions to ask about that. Does his proposal include a full dealing with the issue of physician reimbursement? What we mean by that is when we create these big government programs, then some agency in Washington tells how much we can pay doctors for different services and how much we pay hospitals. Right now, in the government programs we have—Medicare, for example—doctors are only paid about 80 percent of what they are paid for serving the roughly 200 million of us who have private plans. And for those who are in Medicaid—low income; that is the largest government program—it is about 60 percent. Doctors are paid about 60 percent of what they were paid if they saw private physicians. Then, as a result, 50 percent of doctors won’t see new people in that Medicaid Program, which is why so many people think: I am not so sure a new government-run program of insurance is such a good idea, because I might end up in it and it might be like Medicaid and 50 percent of the doctors won’t see new Medicaid patients.

Why might you end up in a government program if you are not there now? Well, in the other bills we have seen—and this would be a question we have about Senator REID’s bill—the combination of sections means that a great many employers are going to look at the bill and the requirements that are placed on them and they are going to write a letter to their employees and say: Congratulations, there is a new government plan. I have sent a check to the government, and instead of having employer insurance, you are in the government plan. Well, you may not have been thinking that was the kind of health reform you wanted.

There is the matter of the States. I will admit that as a former Governor I may be more worried about this than

some people, but I see a former mayor in the Presiding Officer’s chair today. I won’t speak for him, but I know I used to sit back there in Nashville and nothing would make me madder than some Member of Congress coming up with a big idea, pass it into law, issue a press release, take credit for it, and send me the bill when I was Governor. So all of the other bills we have seen say, It is a great idea to expand Medicaid. We are going to dump about 14 million more Americans in this program for low-income Americans and we are going to send the bill for part of it to the State.

Well, our Democratic Governor thinks that is a bad idea, because our State, which is fiscally well managed—Tennessee—and virtually every other State is having the worst time they have had since the Great Depression in managing their resources. Here they have the Medicaid Program going up at 8 percent a year, and they are cutting higher education and other programs. That is what is going on in the States. So we will have to ask the question: How much does this new bill transfer costs to the States?

There are a great many questions we will need to ask, and they are appropriate questions. The Republican leader pointed out that when we did the farm bill, we talked for 4 weeks. We debated, we had amendments, we came to a conclusion, and we had a bipartisan result. When we did No Child Left Behind, it was 7 weeks. I remember on the Energy bill of 2005, which put us on a new direction, Senator BINGAMAN and Senator Domenici and others worked very hard on it, but on the floor it took 8 or 9 weeks. We need to have a full discussion of whatever bill finally comes to the floor, and this may be the bill. It is at least 2,000 pages. It is at least \$1 trillion. Maybe it is a good bill. But the American people will have a lot of questions about whether their premiums are going up instead of down, their taxes are going up instead of down; how much are the Medicare cuts—why are they being spent on somebody else instead of the people in Medicare? What about these Medicare payroll taxes? What about new State taxes? Will I lose my insurance? These are big questions and they deserve to be answered.

A good way to start is to take the advice of the eight Democratic Senators who wrote the Democratic leader and said: Before we have our first vote, Mr. Leader, No. 1, we want to see the complete text which we don’t yet have; we want to see a complete estimate by the Congressional Budget Office; and we want it to be on the Internet for at least 72 hours—the words were very strong—because we have a duty to the American people that they know how this affects them, because it is a very personal matter.

I thank the President.

EXHIBIT 1

U.S. SENATE,

Washington, DC, October 6, 2009.

Hon. LARRY REID,
Senate Majority Leader, U.S. Capitol, Wash-
ington, DC.

DEAR LEADER REID: As you know, Americans across our country have been actively engaged in the debate on health care reform. Whether or not our constituents agree with the direction of the debate, many are frustrated and lacking accurate information on the emerging proposals in Congress. Without a doubt, reforming health care in America is one of the most monumental and far-reaching undertakings considered by this body in decades. We believe the American public's participation in this process is critical to our overall success of creating a bill that lowers health care costs and offers access to quality and affordable health care for all Americans.

Every step of the process needs to be transparent, and information regarding the bill needs to be readily available to our constituents before the Senate starts to vote on legislation that will affect the lives of every American. The legislative text and complete budget scores from the Congressional Budget Office (CBO) of the health care legislation considered on the Senate floor should be made available on a website the public can access for at least 72 hours prior to the first vote to proceed to the legislation. Likewise, the legislative text and complete CBO scores of the health care legislation as amended should be made available to the public for 72 hours prior to the vote on final passage of the bill in the Senate. Further, the legislative text of all amendments filed and offered for debate on the Senate floor should be posted on a public website prior to beginning debate on the amendment on the Senate floor. Lastly, upon a final agreement between the House of Representatives and the Senate, a formal conference report detailing the agreement and complete CBO scores of the agreement should be made available to the public for 72 hours prior to the vote on

final passage of the conference report in the Senate.

By publically posting the legislation and its CBO scores 72 hours before it is brought to a vote in the Senate and by publishing the text of amendments before they are debated, our constituents will have the opportunity to evaluate these policies and communicate their concerns or their message of support to their Members of Congress. As their democratically-elected representatives in Washington, DC, it is our duty to listen to their concerns and to provide them with the chance to respond to proposals that will impact their lives. At a time when trust in Congress and the U.S. government is unprecedentedly low, we can begin to rebuild the American people's faith in their federal government through transparency and by actively inviting Americans to participate in the legislative process.

We respectfully request that you agree to these principles before moving forward with floor debate of this legislation. We appreciate your serious consideration and look forward to working with you on health care reform legislation in the weeks ahead.

Sincerely,

BLANCHE L. LINCOLN.
MARY L. LANDRIEU.
CLAIRE McCASKILL.
MARK L. PRYOR.
EVAN BAYH.
JOSEPH I. LIEBERMAN.
BEN NELSON.
JIM WEBB.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. SESSIONS. Mr. President, I wish to thank Senator ALEXANDER for his remarks because I think I have heard it said that this new health care bill, don't worry about it, it is going to be

revenue neutral. But if you create a bill that is revenue neutral by taking hundreds of billions of dollars out of Medicare, which we already know is heading into default in the next 5 or 6 years, and you do it by raising taxes, both of which are to fund a new program that we don't have the money for, then that is not, in my mind, what the average person would say in commonsense thought is revenue neutral.

I think that is what we are talking about. We need to be able to see the details of it. I appreciate Senator ALEXANDER for that fine summary of where we are. I hope our Members will take it to heart.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate will stand adjourned until Thursday, November 19, at 9:30 a.m.

There being no objection, the Senate, at 7:51 p.m., adjourned until Thursday, November 19, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

NICOLE YVETTE LAMB-HALE, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE WILLIAM G. SUTTON, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

ARTHUR ALLEN ELKINS, JR., OF MARYLAND, TO BE INSPECTOR GENERAL, ENVIRONMENTAL PROTECTION AGENCY, VICE NIKKI RUSH TINSLEY, RESIGNED.

DEPARTMENT OF VETERANS AFFAIRS

ROBERT A. PETZEL, OF MINNESOTA, TO BE UNDER SECRETARY FOR HEALTH OF THE DEPARTMENT OF VETERANS AFFAIRS, VICE MICHAEL J. KUSSMAN, RESIGNED.