

worth it to continue to treat Medicare patients.

The Congressional Budget Office has estimated that truly fixing the physician payment formula could cost upwards of \$250 billion, yet the Reid bill does not address this problem.

Spiraling costs associated with medical liability lawsuits directly increase Medicare costs. These costs are calculated directly into payment formulas for providers such as physicians. In addition, physicians and hospitals order billions of dollars in extra tests and procedures to protect themselves from the threat of potential lawsuits.

We know that enacting commonsense medical liability reforms directly reduces the liability insurance premiums doctors pay. We have seen the results in States such as Texas, where physicians liability insurance premiums have decreased every year since the State-enacted reforms, with average liability rates dropping a total of 27 percent.

The Reid bill does nothing to address the problems of medical liability. Instead of including reforms that would help reduce Medicare costs and extend the solvency of the program, the only thing the Reid bill does is include a meaningless sense-of-the-Senate resolution on liability reform. That will not pay the bills.

We owe it to the 43 million people who depend on Medicare to reject the arbitrary cuts in the Reid bill. We need to come up with better solutions that will not endanger their ability to see a doctor or to get care at a hospital or a nursing home. Yes, if we do not pay the doctors, the doctors will not take them because in Medicaid they already will not take 40 percent of the patients; and in Medicare it is 20 percent already. A lot of people are being asked, when they call a doctor, if they are a Medicare patient. It is my contention if you cannot see a doctor, you do not have any kind of insurance at all. We do not take care of that problem, so we do need to come up with a better solution that will not endanger their ability to see a doctor or to get care at a hospital or a nursing home or to have home health care.

I believe we can do better. If the Senate passes this motion to commit, we can develop bipartisan reforms that will eliminate the unsustainable payment cuts and address the underlying problems facing the Medicare Program.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I am not in favor of doing nothing. The previous Democratic speaker, Senator CASEY, said if we do nothing, costs will go up. I think the fact is, if you look at CBO's analysis, it says costs will go up even more if this bill, this 2,074-page bill, passes. So I want to spend some time because there has been some obfuscation on what this Congressional Budget Office letter to Senator BAYH means.

This morning, the nonpartisan Congressional Budget Office sent a letter to Senator BAYH providing a very detailed analysis of what health insurance premiums will look like as a result of this 2,074-page bill. I have the letter from the Congressional Budget Office right here, if anybody wants to read it in detail.

Like many of us, Senator BAYH wants to know if the Reid bill is addressing our constituents' No. 1 priority: costs. I think if you were to have a Saturday morning coffee club meeting in almost any of the small towns of America, and they were discussing health care reform—and emphasis upon the word “reform”—and I walked into that meeting, and if I told them under this 2,074-page Reid bill that costs were not going to be brought under control, taxes were going to go up, premiums were going to go up, and we were taking \$400 billion out of Medicare to set up a new health care program, they would probably unanimously respond: Well, that does not sound like health care reform to me.

A lot of Senators are concerned about costs because that is what we are hearing from the grassroots of America. Everyone, from the dean of Harvard's Medical School to even the New York Times, has said this bill does not sufficiently address the rising cost of health care. But before today, we were still all anxiously waiting to hear what the Congressional Budget Office has now said about that issue of rising costs. Well, today, CBO has spoken loudly and clearly. The Reid bill not only fails to bring down costs, it will actually raise costs for millions of Americans. I think that bears repeating. The Reid bill will make health insurance more expensive. Families will end up paying 10 to 13 percent more as a result of this 2,074-page bill.

Some proponents of the bill are trying to spin this, what they consider unfortunate news, and tell the American people that taxpayer-funded subsidies will actually offset these cost increases. In fact, tonight some Members have already been saying that this CBO analysis shows costs will come down.

But I want to make it very clear CBO says that is not the case. Well, this may be true; if you take \$500 billion of taxpayers' hard-earned money and give it out in subsidies directly to insurance companies, sure, some people may end up paying less for health insurance. But this argument fails to recognize two big underlying problems.

First, most Americans will not qualify for any subsidies. They will end up paying higher premiums. In fact, 160 million Americans who stay in employer-based plans will not see any help. In fact, despite all the rhetoric about how employers cannot afford the status quo, CBO says this bill does little, if anything, to lower costs for employers. Maybe that is why the National Federation of Independent Businesses, the U.S. Chamber of Commerce, and a host of other business groups, oppose this 2,074-page bill.

The nonpartisan Congressional Budget Office goes on to say that 14 million people who cannot get coverage through an employer will not get any help either, but they will see a 10- to 13-percent increase in premiums. And, of course, an intrusive new insurance mandate will be enforced by the IRS if you do not do what has never been done in the 225-year history of America. Never has the Federal Government said any American had to buy anything. Now you have to buy insurance. If you do not buy it, pay the IRS more money. Some people are going to say: Well, you have to buy car insurance. But under the tenth amendment, the State governments have any powers that are not prohibited by the Federal Constitution to them.

So families who would have paid \$13,100 under current law will actually pay more than \$15,000 as a direct result of this 2,074-page bill. And people in employer-based coverage will be paying more than \$20,000 a year for health insurance in 2016.

The second big problem is this: Health insurance premiums are still more expensive in the Reid bill than they would be under current law. The government is cutting Medicare and raising taxes to offset the increases. So instead of addressing the underlying issue of cost, as was promised, this bill enacts policies that drive up costs by close to 30 percent, and then hands over close to \$500 billion in hard-earned taxpayer dollars directly to health insurance companies to offset the increases.

Well, you might not believe the spin. In fact, you better not believe the spin because the nonpartisan Congressional Budget Office has confirmed it. This bill fails to drive down the cost of health insurance premiums. It simply drives up prices with a bunch of arbitrary regulatory reforms, very cutely shifting the cost on to the American people in the form of higher taxes and massive Medicare cuts. So, once again, don't take my word for it. Read what the nonpartisan Congressional Budget Office says. They have confirmed what we have been hearing for months: The Democratic leadership bill means higher costs for millions of Americans.

I yield the floor.

Mr. ENZI. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ADDITIONAL STATEMENTS

TRIBUTE TO PAT VEZINA

• Mr. BEGICH. Madam President, today I wish to recognize a milestone for my constituent Pat Vezina. On Friday, December 4, 2009, Pat will mark the 50th anniversary of her arrival in the State of Alaska. Alaska became a State in January 1959 and Pat made it her home less than a year later, one of thousands of people who have built our State over the last half century.

Pat was born in Wallsend, Northumberland, England, on June 4, 1931, to Clement and Constance Boothroyd. She grew up in Jesmond, Northumberland, and was evacuated for a short time during World War II before returning home to live with her parents for the duration of the war. After attending nursing school in Leeds, England, she emigrated to Canada and then to Alaska.

Pat worked as a registered nurse in the labor and delivery department at Providence Hospital, one of Alaska's finest institutions. She began her Alaska nursing career at "Old Providence" hospital where hundreds of new Alaskans, including me, were born. After marrying and having two children of her own, she returned to nursing at "New Providence" where she worked for 30 years before her retirement in 1996.

Pat has an abiding love for the beauty of Alaska. She enjoys walking on the beaches of Homer, buying summer flowers for her garden in the greenhouses of the Matanuska Valley, picking berries at Sheep Mountain Lodge, and an afternoon with a friend at Summit Lake Lodge. She is loved by her children Karen and John and by the close friends she has made over the last 50 years.

Madam President and colleagues, please join me in honoring and recognizing Pat Vezina on the 50th anniversary of her arrival in Alaska.●

RECOGNIZING THE 169TH FIGHTER WING

• Mr. DEMINT. Madam President, Senator GRAHAM joins me today to congratulate the men and women of the 169th Fighter Wing stationed at McEntire Joint National Guard Base, SC, for their outstanding service in defending our Nation and for their great achievements at the 2009 Falcon Air Meet.

It has been 8 years since the attacks of 9/11 and the record of continuous operations for the 169th is an inspiration to us all. Shortly after the attacks, McEntire personnel deployed to Southwest Asia, directly participating in combat operations in support of Operation ENDURING FREEDOM, pounding al-Qaida and Taliban insurgents. Later,

the 169th FW mobilized and deployed as part of what became Operation IRAQI FREEDOM. The Swamp Foxes flew more than 400 combat missions, performing the Suppression of Enemy Air Defenses mission and flying numerous precision bombing missions over Iraq.

However, when the 169th isn't defending freedom, they are winning awards and bringing home trophies. We are especially proud of the 169th's accomplishments at the 2009 Falcon Air Meet, a multinational F-16 competition. The Swamp Foxes represented the United States against other Nation's fighter crews. They finished first in four of five competition categories, earning the Large Force Employment Trophy, Scramble Launch and Intercept Competition, Weapons Load Competition, Top Overall Maintenance Award, and was recognized with the Top Overall Competition Award. These are impressive achievements that bring great credit upon the 169th.

On behalf of the people of the State of South Carolina and our great country, Senator GRAHAM and I want to salute the outstanding work of the 169th.

We are amazed by their stories, and humbled by the immense burdens they have shouldered. Their dedication, and their families' sacrifices are an inspiration, and our country owes them a debt of gratitude for their patriotic service.●

REMEMBERING MALCOLM SHERMAN

• Ms. MIKULSKI. Madam President, I wish to pay to tribute the life and legacy of Malcolm Sherman.

Malcolm Sherman was part of that extraordinary generation that fought for America during World War II, and then fought for what America stands for during the rest of his life.

He joined the Marines after the Japanese attack on Pearl Harbor and served during the Guadalcanal campaign. When he returned home, he built a family with his beloved wife Mimi, and he built a career in real estate.

He truly lived his life according to the Jewish principle of "tikkun olam"—the repair of the world through the pursuit of social justice. He worked for peace and civil rights throughout his life. He also was a leader in the effort to ending segregation and discrimination in housing. Perhaps his greatest legacies are his children and grandchildren, who live by his principles of service.

I ask that an obituary of Mr. Sherman written by Frederick Rasmussen of the Baltimore Sun be printed in the RECORD.

The information follows.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, Nov. 21, 2009]

MALCOLM SHERMAN: FORMER ROUSE CO. EXECUTIVE BATTLED BLOCKBUSTING IN BALTIMORE NEIGHBORHOODS IN THE 1950S AND 1960S

(By Frederick N. Rasmussen)

Malcolm "Mal" Sherman, a former Rouse Co. executive and real estate agent who bat-

tled blockbusting and worked tirelessly for integrated neighborhoods during the 1950s and 1960s, died Thursday of pneumonia at the Broadmead retirement community in Cockeysville. He was 87.

Mr. Sherman was born in Philadelphia and spent his early years there. After the death of his father in 1927, he was sent abroad to a boarding school in Lausanne, Switzerland, where he lived until returning to New York City in 1932.

After graduating from Horace Mann School in New York City, Mr. Sherman attended the University of North Carolina at Chapel Hill.

He dropped out of college and enlisted in the Marine Corps two days after the Japanese attack on Pearl Harbor.

Mr. Sherman was wounded while serving as a master sergeant during the Guadalcanal campaign and was honorably discharged at war's end.

He was a founder of the United Nations Veterans League, which worked for world peace.

After the war, Mr. Sherman and his wife, the former Miriam "Mimi" Heller, whom he married in 1943, moved to San Francisco, where he was a salesman for Paul Masson Wines.

In 1949, Mr. Sherman moved to Baltimore to be closer to his wife's family. He earned his real estate license and established Mal Sherman Inc. Realtors. His staff consisted of 18 men and 18 women, at a time when there were few women in the business.

"I always had an interest in houses and land," Mr. Sherman said in a 1999 interview with the Maryland Realtor. "I thought I could help people make a decision. I wanted to help families find a better quality of life. It was a way for me to combine business and social work all in one."

In the early days, Mr. Sherman confronted anti-Semitism and segregated neighborhoods.

"As a Jewish real estate broker, I was not allowed to show property east of Falls Road," he recalled in the interview.

In 1953, when Mr. Sherman tried to stabilize a neighborhood that was undergoing blockbusting, he appealed to white residents to stay.

They rebuffed his plea and refused to do business with him because of his integrationist views.

Even after the Supreme Court's Brown v. Board of Education decision in 1954 that declared "separate but equal" unconstitutional, discrimination in real estate continued.

In 1960, Mr. Sherman decided it was time to hire African-American real estate agents and brought Lee Martin, a Morgan State graduate, into his company.

While working for Baltimore Neighborhoods Inc. in the early 1960s, Mr. Sherman began to push fair-housing issues and in a news conference said he would sell to anyone "regardless of race, creed, or color."

When baseball great Frank Robinson came to Baltimore to play for the Orioles in 1966, he instructed Mr. Sherman to find a home for him and his family in a white neighborhood.

"He didn't want to be segregated," Mr. Sherman recalled in an interview. After persuading the white neighbors to accept Mr. Robinson, Mr. Sherman was still attacked by a local builder for "breaking the block."

President John F. Kennedy appointed him to the Equal Opportunity for Housing in America Committee.

Mrs. Sherman, who died in 2005, joined her husband in his quest for open housing and civil rights.

"All that black people wanted was the right to buy or rent anyplace, regardless of race, creed or color, and once given that