we wrote good legislation on the delivery system reform. I think it was actually very good legislation. But it does not matter how good the legislation is that we write if the executive branch does not get out there and implement it in a dynamic, thoughtful, iterative way. We learn something, we move on.

We have to be creative and continue the pressure on this. We have to take what we learn in different projects and bring them together and try something now and constantly be in a process of innovation and improvement in order to be effective. Nobody will do that better than Professor Berwick. That is why both President Bush, H.W. Bush, and President Bush, W. Bush, their CMS directors have applauded this nomination.

Gail Wilensky, the Administrator of CMS under President George H.W. Bush, said: Berwick has longstanding recognition for expertise and for not being a partisan individual.

George W. Bush's CMS director, Tom Scully, said: You are not going to do any better than Don Berwick.

So from the other side of the aisle, from the partisan side of executive management of this, the previous CMS directors know how qualified this man is. I know my Republican colleagues want to talk about rationing. They would love to paint rationing and socialized medicine and death panels all over the health care bill. Obviously they cannot resist the opportunity to do that using Dr. Berwick.

But, frankly, it is not fair, and I think it puts them on the wrong side of history. It puts them on the wrong side of reform. It raises the question, Whose side are they on? When we have somewhere between $700 billion and $1 trillion of waste every year and the person who George Bush's CMS director says we are not going to find any better to come in and fix that program than the nominee, and they are against the solution to that, whose side are they on?

Well, it is pretty clear they are on the side of the $700 billion to $1 trillion a year in waste. That is a choice they can make. But I do not think it is a wise choice. When we are dealing with doing things such as eliminating hospital-acquired infections in order to save money, and they are against the person who is the leading proponent of this and who is going to lead us in that direction, who are they for? Are they for the families who lose a loved one to a hospital-acquired infection? It does not seem that way. It seems like a vote in favor of the status quo. It seems like a vote in favor of the status quo and the continuing unbelievable number of deaths and casualties from hospital-acquired infections.

One of the findings of the ''To Err is Human'' report is that 100,000 Americans die every year, 100,000 Americans die every year because of avoidable medical errors. When we clean up the medical errors, when we clean up the process failures that lead to those medical errors, we save money. That is Don Berwick's expertise. When they oppose him, whose side are they on? Are they on the side of 100,000 Americans who lose their lives every year because of avoidable medical errors? I do not think so. It sounds as if they are on the side of the 100,000 medical errors.

Let this guy have a chance. He has bipartisan support. He is an expert in this area. The area he is expert in is the best path to lead us to cost savings in health care because it is a win-win path. We do not have to take something away from somebody to create the savings; we can earn the savings by reforming the delivery system so it provides better health care.

He has founded the Institute for Healthcare Improvement. He has worked as a board member on the American Hospital Association on Quality Initiatives. He chaired the Advisory Council for the Agency for Health Research and Quality. He goes back to the Clinton era, where he was on President Clinton's Advisory Commission on Consumer Protection and Quality. He is the real deal.

So I urge my colleagues, as I did yesterday, to step back from the partisanship, to step back from the posturing. We have heard enough about rationing. There is not rationing in this; this is quality reform. We have heard enough about death panels and socialized medicine and all of that nonsense.

We have a serious problem in our health care system. We need to address it seriously. There is a path to address it that is a win-win for our country, for our people, for our society that reduces costs and provides Americans better care. To me, it is embarrassing that we should be 39th in maternal mortality. There are 38 countries that keep mothers alive through childbirth better than we do. That is the kind of thing we should be fixing. That is the kind of quality reform we need. That is the kind of quality reform Don Berwick gets behind.

This should be an area where we can all get behind this. Some of the work he has done has been in Republican States, in States with Republican Senators. I just know, off the top of my head, that Utah is a leading State in the quality reform area. The North Carolina Medicaid effort on Medical Home is one of the leading early studies on this issue. These people have Republican Senators who can report on how successful those have been. Yet they have made the choice not to look at Berwick for the person he is, for the expert he is, for the purpose he brings to this job, but just as an excuse to try to go back to the slogans and try to sloganeer their way through what is a real and significant problem for our country.

So unless you want to wish failure on America in this task, unless you want to wish failure on America in reducing the 100,000 deaths every year from avoidable medical errors, unless you want to wish failure on America in improving our status so we are the best in the world on maternal mortality rather than 39th, unless you want to wish failure on America in the only win-win path to reducing the terrible burden of health care costs, the accelerating burden, unsustainable burden of health care costs on our country, unless you want to wish America failure in that, you ought to support Don Berwick because he knows how to follow this path, this win-win path, toward health care savings that come from improving quality. That is a path we should be on.

There is no one better suited to lead CMS down that path than Dr. Berwick. So I hope we can find a way in this body to be better than that. I think Dr. Berwick gives us the occasion to be better than that. At long last, I hope that soon we become better than that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. I ask unanimous consent that the order for the quorum call be rescinded.

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

INHERITANCE TAX

Mr. SANDERS. Mr. President, let me begin by making a few points about which there is not a whole lot of disagreement.

First, the United States today is in the midst of the worst economic downturn since the 1930s. Over 16 percent of working age Americans are unemployed or underemployed, working 20 hours a week when they want to be working 40 hours. Long-term unemployment is the highest on record. In other words, when people are losing their jobs now, it is not a question of weeks to gain a new job but, in some cases, 6 or 8 months or perhaps not at all. In the midst of this economic crisis, millions of Americans have lost their homes, savings, and pensions.

Second point: The United States today has a $13 trillion national debt and a record-breaking $1.6 trillion deficit. Last year alone, the Federal Government spent over $186 billion paying interest on that debt. We are leaving our children and grandchildren a huge financial obligation which not only will impact them personally but will affect the well-being of the entire country in the midst of a strong and competitive global economy.

Third point: The United States today has the most unequal distribution of wealth and income of any major country. Today, as this chart indicates, the top 1 percent earns more income than the bottom 50 percent. Let me repeat that. The top 1 percent earns more income than the bottom 50 percent. And the top 1 percent owns more wealth than the bottom 90 percent. The top, 1 percent; bottom, 90 percent. What we have is a nation in which in many ways we are moving toward an oligarchic

form of society, with a small number of people on the top seeing a huge increase in their wealth and income while the middle class lapses and poverty increases.

During the Bush years, when the middle class saw a $2,200 decline in median family income, the 400 wealthiest families saw their income more than double. Meanwhile, while the very rich became much richer, their effective income tax rates were slashed almost in half over the past 15 years. The rich get richer. Their effective income tax rate goes down. The wealthiest 400 Americans have now accumulated $1.27 trillion in wealth, while the highest paid 400 Americans had an average income of $345 million in 2007 alone. As a result of Bush's tax policy, these very high-income people pay an effective tax rate of 16.6 percent, the lowest on record. The rich get richer. Their effective tax rates go down—lowest on record.

Warren Buffett, one of the wealthiest people on the planet, has often made the point that he, a multibillionaire, pays a lower effective tax rate than his secretary.

Last point I wish to make: Last month a gentleman named Dan Duncan, who happened to be the wealthiest person in Houston, TX, passed away. He left his family some $9 billion. For the first time since 1916, almost 100 years, somebody in the top echelon bracket like a Mr. Duncan will have a situation where his heirs will pay zero inheritance tax, not a nickel. That is the first time that a multimillionaire or billionaire has died in 100 years and their family has not paid one penny in inheritance taxes. This occurred as a result of President Bush's $1.35 trillion tax break enacted into law in 2001. In other words, at a time when this country has a devastatingly high rate of unemployment, at a time when the Senate refused to extend unemployment benefits to desperate people who, through no fault of their own, have lost their jobs and have no income, at a time when we have a huge national debt, at a time when we have massive unmet needs, including a crumbling infrastructure and the need to transform our energy system, at a time when we have a growing gap between the very rich and everyone else, we have a situation now where the very wealthiest people are seeing, when one in their family dies, their estate tax is zero.

A century ago, President Teddy Roosevelt, a good Republican, called for a graduated inheritance tax on wealthy estates. In 1916, Congress passed that law. Interestingly enough, here is what Republican Teddy Roosevelt said in 1910:

> The absence of effective state, and, especially, national, restraint upon unfair money-getting has tended to create a small class of enormously wealthy and economically powerful men, whose chief object is to hold and increase their power. The prime need is to change the conditions which enable these men to accumulate power which is not for the general welfare that they should hold or exercise . . . No man should receive a dollar unless that dollar has been fairly earned.
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> Every dollar received should represent a dollar's worth of service rendered, not gambling in stocks but service rendered. The really big fortune, the swollen fortune, by the mere fact of its size, acquires qualities which differentiate it in kind as well as in degree from what is passed by men of relatively small means. Therefore, I believe in a graduated income tax on big fortunes and in another tax which is far more easily collected and far more effective—a graduated inheritance tax on big fortunes, properly safeguarded against evasion and increasing rapidly in amount with the size of the estate.
>
> Teddy Roosevelt, 1910.

There are not many Republicans I agree with today, but I do agree with what Teddy Roosevelt said 100 years ago. That is exactly what the responsible estate tax act I have introduced, along with Senators HARKIN, WHITEHOUSE, FRANKEN, and SHERROD BROWN, will do. Specifically, this legislation exempts the first $3.5 million of an inheritance from paying any Federal estate tax whatsoever. Doing this means that 99.7 percent of Americans who receive an inheritance will not pay one penny in Federal estate taxes. This legislation would impact only the very wealthy, the top three-tenths of 1 percent.

Under my legislation, the value of estates above $3.5 million and below $10 million would be taxed at 45 percent; the value of estates above $10 million and below $50 million would be taxed at 50 percent; and the value of estates above $50 million would be taxed at 55 percent, the same as the 2001 level before the Bush tax cuts. Further, this legislation includes a 10-percent surtax on the value of estates above $500 million or $1 billion for couples.

According to the Joint Committee on Taxation, this legislation, over a 10-year period, would bring in $315 billion—a significant step forward in addressing our national debt. But this legislation would do something even more important. In the midst of these enormously difficult times, this legislation makes clear we are one country and all Americans must accept shared responsibility. In my view, it is immoral, it is unfair that while the middle class struggles to survive, millionaires and billionaires get tax breaks.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MILITARY CONSTRUCTION PROGRAM

Mrs. HUTCHISON. Mr. President, I rise today to talk about our military construction program and some concerns I have about an apparent shift in strategy, what this means for our American soldiers and their families and for the growing debt and deficits we are seeing on the taxpayers of this country.

Without question, our military construction program should be fiscally responsible and driven by the future security posture of the U.S. forces. Dating back to the end of the Cold War, the U.S. military determined that our Armed Forces would be best trained and equipped for service when stationed at installations on U.S. soil.

Our military adopted a force projection strategy that allows our U.S.-stationed service men and women to deploy from home rather than being based primarily overseas.

This Congress has been very supportive of the Army's transformation to a more modular and expeditionary force structure, allowing more troops to be stationed in the United States.

In 2005, the Overseas Basing Commission reaffirmed the force projection strategy. It applauded the vision behind the Pentagon's efforts to transform the military and restation tens of thousands of military personnel back on U.S. soil.

So the Pentagon's strategy, endorsed by the Overseas Basing Commission, has guided the way Congress directs resources and funding for military construction facilities. We have invested more than $14 billion to build housing, stationing, training, and deployment capabilities at major military installations in the United States. We have proven we can best train and deploy from the United States and do it more cost-effectively.

Despite these taxpayer-backed investments, the Pentagon's current MILCON program is shifting military construction projects, military forces, and taxpayer dollars overseas. Strategically, this would set in motion a worldwide transformation of U.S. basing that would actually expand our overseas presence, and this at a time when the aid given to American efforts in the war on terror is, with a few exceptions, not impressive.

Fiscally, the Department of Defense is pursuing expensive and, in some cases, duplicative military construction projects in Europe, Korea, and Guam without demonstrating adequate cost efficiencies or projected future costs. This shift in global posture fundamentally disconnects with stateside basing capabilities and reverses the Overseas Basing Commission's recommendations.

Europe: In Germany massive plans are underway to move U.S. Army headquarters from Heidelberg to Wiesbaden. I question this move because European and African Commands already have substantial infrastructure in Stuttgart where efficiencies would be available. The Government Accountability Office does not believe the Army will achieve any cost savings. Not only would these