Kentuckian who sacrificed his life for his country. First Lieutenant Eric Yates, of Rineyville, KY, was killed on September 18, 2010, in Kandahar province, Afghanistan, after insurgents attacked his patrol with an improvised explosive device. He was 26 years old.

For his heroic service, Lieutenant Yates received several awards, medals, and decorations, including the Bronze Star Medal, the Purple Heart, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Action Badge, and the Overseas Service Bar.

On Veterans Day last year, Lieutenant Yates's alma mater, Western Kentucky University, honored him by inducting him into its ROTC Hall of Fame. A likeness of Lieutenant Yates, etched in granite, was unveiled and placed on the university's landmark Guthrie Bell Tower.

The history department at Western Kentucky University, working with the Yates family, also established the First Lieutenant Eric Yates Memorial Scholarship. ''We have made it our mission to make it a scholarship that will be here forever, to keep Eric alive in our hearts,'' says Kathy Yates, Eric's mother. Thanks to fund raisers and generous donations, that scholarship fund now has over $20,000 in it.

Eric was born on July 1, 1984, to Kathy and David Yates, and grew up on a farm in Rineyville. A typical little kid, he liked to play with toy tractors and watch cartoons. Batman and Power Rangers were his favorites. ''He went through a phase where he wore a cape all the time so he would be ready for any impending danger,'' remembers Kathy. Eric attended Rineyville Elementary School, and played baseball.

On the farm, the Yates family grew hay and tobacco, and there was work to be done clearing weeds, topping plants, cutting the tobacco, and stripping it in the barn to get it ready for market. ''I am so thankful for that time we spent together working and talking, as that's when you really get to know your children and the work ethic they develop,'' Kathy says.

One spring when Eric was about 10 and his little brother Nathan was about 6, David told his two sons they could each pick a newborn calf after their hard work stripping tobacco all winter. Nathan picked out the biggest bull he could find. He could not understand why his big brother Eric chose a little heifer calf. ''I want the gift that's going to keep on giving,'' Eric said, and he went on to sell a calf from that cow every year for the next 13 years.

In high school Eric got his first job for Butternut Bread, filling the shelves in Wal-Mart, and was elected as treasurer of his school's chapter of Future Farmers of America.

During the summer of 2001, the Yates family took a vacation to our Nation's capital here in Washington, D.C. Eric was thrilled to visit the White House, the Smithsonian, Arlington Cemetery, the Korean Memorial, the Vietnam Memorial, Robert E. Lee's house, and the Tomb of the Unknown Soldier.

Kathy recalls how he practically taught the family a history lesson at every stop along the way. ''He was amazed by all of it,'' she says.

Soon after that summer trip came the events of 9/11. A junior in high school, Eric read as much about the brutal terrorist attacks on this country as he could. ''I had not seen anything that grabbed his attention like that fateful day,'' Kathy remembers. It was then that Eric began to think about a career in the U.S. Army.

After graduating from John Hardin High School in 2003, Eric started at Elizabethtown Community College. Then he transferred to Western Kentucky University and joined their ROTC program, with an eye toward a military career. He hoped to return to Hardin County one day after retiring from the Army, to teach and share his stories of military adventure.

Eric graduated from WKU in 2008. ''We were so proud of him that weekend as David and I put on his gold bars at his commissioning ceremony,'' Kathy says. After graduation, he joined the 101st Airborne Division and was stationed at Fort Campbell, Kentucky, a point of pride for Eric as that was the same division his grandfather, Herbert L. Crabb, had served in.

In May of 2010, Eric was deployed to Afghanistan with B Company, 1st Battalion, 502nd Infantry Regiment, 101st Airborne Division. It would be his first and only deployment.

We are thinking of First Lieutenant Yates's loved ones today, Mr. President, as I recount his story for my colleagues in the Senate, including his parents, David and Kathy Yates; his brother, Nathan Yates; his grandfather, Herbert L. Crabb; and many other beloved family members and friends.

Eric's family learned after his tragic death that he had left behind a letter he wanted read at his funeral. His parents have gracefully shared that letter with me, and I would like to read it for my colleagues now. Eric writes as follows:

Hello to everyone in attendance,

I'm sorry that you all had to gather here today for this event—no, really I am. But since you are here I would like to take the chance to say a few things, try to impart some of my knowledge and wisdom that I have stored up over the past 26 years. I consider myself fairly cultured and worldly, so please pay attention; I have the following advice.

Number one, take a chance. Get out there and do something you wouldn't normally do. You will see and do some really cool stuff and meet some really fine and interesting people. Once an Army buddy and myself ate breakfast with a homeless man in Oklahoma City, and I must say he left an impression on me.

Number two, watch the original Star Wars trilogy. It's an amazing story.

Number three, no matter how old you are, get off the couch and exercise. You will look and feel so much better, have more energy and be happier.

Number four, read a lot books, both fiction and non-fiction, newspapers, magazines, blogs, online stories, movie reviews—all these things will help you understand the world around you, your role in it, and why what happened to me happened where and when it did.

Number five, save your money. You don't own your things; your things own you.

Number six, liquor is better than beer.

Number seven, don't reject new ideas immediately.

That seems to be all that I wanted to say, so thank you for coming. Please have a safe trip home and have a good life. Love, Eric Yates.

It is a great loss, Mr. President, that First Lieutenant Eric Yates will not have a long and happy life himself, with the opportunities to share those lessons—and many more—with the people that fill that life. But I am honored to be able to share them now with my colleagues in the United States Senate.

And I am honored to stand here today and recognize Lieutenant Yates's heroic service, and the solemn sacrifice he has made on behalf of a loving family, a proud Commonwealth, and a grateful Nation.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent to speak for 15 minutes in morning business, and I ask the Chair to please notify me when I have 3 minutes remaining.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LOWERING TUITION COSTS

Mr. ALEXANDER. Mr. President, since his State of the Union Address, President Obama and Vice President

BIDEN have been talking about their efforts to help students afford to go to college, which is something we are all in favor of.

The President's proposals include what he calls a higher education race to the top. It has a familiar sounding formula. Though, in this case, it will impose new rules and mandates and price controls on colleges and universities in States. Unfortunately, this race to the top is headed in the wrong direction.

The President should turn around his higher education race to the top and head it in the direction of Washington, DC, to help the federal government compete for ways to stop adding mandates and costs on States that are soaking up dollars and driving college tuition through the roof.

Let me be specific and offer three examples of how a race to the top headed toward Washington, DC, could actually help students by saving them money on their tuition.

First, Washington could stop overcharging students on their student loans. They are doing that now by borrowing money at 2.8 percent, loaning it to students at 6.8 percent, and using the profit to help pay for the new health care law and other government programs.

Second, Washington could help students with lower tuition by repealing the new Medicaid mandates on States that take effect in 2014. These new Medicaid mandates will further reduce State funding for higher education and raise tuition at public colleges and universities, which is where approximately 75 percent of students go to college.

Third, Washington could stop prohibiting States from reducing spending on Medicaid at a time when State revenues and expenditures are going down. That forces States to spend money on health care that otherwise would be available for higher education.

Let me talk about each of those three ideas.

First, this business of overcharging on student loans. I think it would come as a big surprise to most students to know that Washington is borrowing money at 2.8 percent and loaning it to them at 6.8 percent, and using the profit to pay for the health care law and for other government programs. We have roughly 25 million students attending 6,000 colleges and universities in America today, and approximately 16 million of those have Federal loans that allow them to spend that money at the school of their choice. Approximately 70 percent of the Federal funding made available for our higher education last year—about $116 billion—went for those student loans. Under the new health care law, the Department of Education is going to be borrowing money from the Treasury at 2.8 percent and then loaning it to the students at 6.8 percent. So, the government is actually overcharging 16 million students and taking that profit and spending it on new government programs, including the new health care law.

According to the Congressional Budget Office, over the next 10 years, here is where the profit goes, approximately: $8.7 billion goes to pay for the new health care law; $10.3 billion goes to pay down the Federal debt; and $36 billion goes to support other Pell grants. So if we really want to help students pay for tuition, why would we not use this profit to reduce the interest rate on student loans? CBO says we could have reduced the rate from 6.8 percent to 5.3 percent and let the students have the savings instead of letting the government have the savings. By reducing the interest on student loans that much, students would save an average of $2,200 over 10 years. That is a lot of money for the average student borrower who has approximately $25,000 in debt.

I have proposed the idea of legislation that puts a "truth in lending" label on every one of the 16 million student loans, saying this: Beware: Your government is overcharging you on your student loan to help pay for the health care law and other government programs.

Here is a second way Washington could help lower tuition rates. Washington could repeal the Medicaid mandates imposed on States that take effect in 2014 and will inevitably drive up tuition rates. This is how that works. The new health care law requires States to expand and help pay for Medicaid coverage. This in turn requires Governors who are making up budgets to take money that, otherwise, would likely go for higher education and spend it instead on Medicaid.

According to the Congressional Budget Office, this new expansion of Medicaid will cost States an additional $20 billion over 10 years and add 16 million more people to Medicaid programs. The CMS Chief Actuary says it may add 25 million to the Medicaid Program, costing States even more. We know this is going to happen because it has already happened. For years Medicaid mandates have been imposing huge costs on States, which in turn soaks up money for colleges, and in turn causes tuition to go up to replace that money.

According to the Kaiser Family Foundation, average State funding this year for Medicaid increased by 28.7 percent compared to the prior year. Where did the money come from? In Tennessee, which had a 15.8-percent increase in State spending on Medicaid last year, at the same time there was a 15-percent decrease in State spending for higher education. That is a real cut, not a Washington cut; that is 15 percent less money. That did what? There was a 7.3-percent increase in tuition at public universities and an 8.2-percent increase in tuition at community colleges to make up for the cuts.

In California, where the state enrolls 8.3 million Medicaid beneficiaries, they are expected to gain 2 million more when the new health care law is implemented in 2014. Just over the last year, there has been a 13.5-percent decrease in State support for higher education in California, along with a 21-percent increase in tuition and fees at State universities and a 37 percent increase in tuition at community colleges. Most of those students probably do not know that the principal reason their tuition is going up is because of the Federal health care mandates on the State.

From 2000 to 2006, spending by State governments on Medicaid increased by 62.6 percent. This has been going on long before President Obama came into office. I balanced it as Governor in the 1980s. Every year I tried to keep education funding at 50 percent of the State budgets. In those days the States paid for 70 percent of the cost of operating the University of Tennessee or the community college and tuition paid for 30 percent of the cost. We had an implicit deal with the students that if we raise tuition, we will raise State funding by about the same amount. Those days are long gone.

Medicaid costs on States are the most insoluble part of the budget dilemma we have here in Washington. I believe Medicaid either should be run 100 percent by the Federal Government or 100 percent by the States. I came to Washington and suggested that to President Reagan in the 1980s. He agreed, but many did not. So it is not new. We should not blame President Obama for the fact that this has gone on for 30 years, but we ought to hold him responsible for making it worse.

Here is how he has made it worse in a third way—by a so-called maintenance of effort requirement on States as a condition of continuing to receive Federal payments under Medicaid. The 2009 stimulus bill prohibited States from imposing new eligibility standards, methodologies, or procedures as a condition of receiving Federal Medicaid payments. The new health care law extends the maintenance of effort requirements through 2014. So for 5 years, throughout this recession, while State revenues are going down, the Federal Government in its wisdom has been imposing billions of new dollars in Medicaid mandates on States requiring them to spend more on Medicaid. And what happens? They must spend less on something else.

In 2010, New York Lieutenant Governor Richard Ravitch, a Democrat, eloquently talked about that problem. He said Medicaid is "the largest single driver of New York's growing expenditures," making up more than one-third of the State total budget. New York spends twice as much on Medicaid as California. He said this spending is expected to grow at an annual rate of 18 percent over the next 4 years but that the Federal stimulus and health care expansions have made it harder for States such as New York and California to cut expenditures because of the strings attached. He said:

> These strings prevent States from substituting Federal money for State funds, require States to spend minimum amounts of

their own funds, and prevent States from tightening eligibility standards for benefits.

So while the Federal Government is burdening the States with hundreds of billions of dollars in Medicaid liabilities, the President has made it worse by forbidding States from tightening their eligibility requirements as their economies shrink.

The administration and Congress have left Governors with little choice but to cut in other areas, and that usually turns out to be public higher education, where 75 percent of students go to school. So why is tuition going up? The biggest reason is us—Congress, Washington DC. Instead of pointing the finger at States and colleges, we ought to look in the mirror.

There is another problem with the President's proposals. His proposals are not likely to affect many students, and if they do they are more likely to hurt them than help them. Here is why that is true. Ninety-eight percent of all Federal money made available to college students goes directly to the students to spend at one of the 6,000 institutions of their choice.

The President's proposals would only affect three programs of campus-based aid that eventually affects about 2 percent of all students and impacts about 2 percent of all the federal money available for higher education. What the President would propose doing includes putting price controls on colleges offering those programs and saying that students could not go to the institution if tuition goes up too much. So if a low-income student wants to go to the University of Tennessee or North Carolina or Michigan and tuition goes up more than the Federal Government says it should, mostly because of Federal policies, what happens? The student cannot go to the University of Michigan or the University of Tennessee or the University of North Carolina. Those schools have plenty of applicants. They are going to get their students anyway. So the effect will be to make it harder for a low-income student to go to the college of his or her choice.

What should we be doing? I think it is pretty obvious. The taxpayers already are generous with support for students going to college. The average tuition at a 4-year public institution is $8,200. At a 2-year community college, it is $3,000. At private institutions, it may be closer to $28,000 or $30,000 a year. To make it easier, there are 16 million student loans—$116 billion in new student loans last year. There are 9 million Pell grants, supported by $41 billion in taxpayers' dollars. So half our 25 million college students have a Federal grant or loan to help pay for college, and they spend it at one of 6,000 institutions of their choice.

Still, the rising cost of tuition is a real problem for American families. Tuition and fees have soared over the past 10 years above the rate of inflation by 5.6 percent a year at public 4-year institutions. This adds up to about a 113 percent increase in tuition over the decade.

Colleges and universities need to do their part to cut costs. I have suggested that well-prepared students ought to be offered 3-year degrees instead of 4. The president of George Washington University has suggested ways that colleges could be more efficient. He said he could run two complete colleges with two complete faculties in the facilities now used half the year for one. That is without cutting the length of student vacations, increasing class size, or requiring faculty to teach more. Requiring one mandatory summer session for every student every 4 years, as Dartmouth College does, would improve institutions' bottom line. The GW president said his institution's bottom line would improve by $10 to $15 million a year. Those are just two good ideas.

There is nothing wrong with President Obama's proposal to encourage ideas like that, even to give grants and put the spotlight on colleges that are trying those things. The Malcolm Baldrige Award for Quality Control years ago did a lot to improve quality in business and government without spending very much. But mandates and price controls on 6,000 autonomous colleges and universities is not the right prescription. They are more likely to hurt students than help. They are more likely to drive up tuition than lower it. And they are more likely to diminish the quality of the best system of higher education in the world.

The reason we have the best system is, for one reason, because generally the Federal Government keeps its hands off those autonomous colleges, and the second reason is that students can choose among those 6,000 institutions with the money we make available to them in grants and loans.

Rather than creating new price controls, new mandates, and new regulations of the kind that have already pushed tuition higher, I suggest the President turn his race to the top around. Instead of heading it towards the States and colleges, head it towards Washington, DC. Stop overcharging students for their student loans, stop requiring States to spend more State dollars on health care at the expense of public colleges and universities, repeal the new Medicaid mandates that in 2014 will take already-high tuition and drive it even higher, and let the Federal agencies compete to see how they can stop adding costs that are the main reason college tuition is rising. That would be the real race to the top. That is the real way to help students afford college.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. HELLER. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. HELLER pertaining to the introduction of S. 2080 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HELLER. I yield the floor.

Mr. HATCH. Mr. President, I ask unanimous consent to be permitted to speak and give my remarks in full.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Utah.

PREVENTIVE SERVICES MANDATE

Mr. HATCH. Mr. President, for some time now Americans have suspected that this administration has lost touch with the American people. John Meacham, the former editor of Newsweek and a fan of the President, explained this detachment by explaining that the President does not "particularly like people." That might be an overstatement, but he is on to something. This administration seems to take its cues from the far left, whether or not they represent the aspirations and hopes of ordinary Americans.

Nowhere is this disconnection from the American people on better display than with the hamfisted decision by Secretary Kathleen Sebelius and the Department of Health and Human Services to require that religious persons and institutions violate their most cherished beliefs or face the consequences.

Late last year, HHS ordered all employers, including religious institutions, to cover in their employer insurance plans such things as sterilization, contraception, and abortion-inducing drugs and devices. With very limited exceptions, religious hospitals, universities, and charitable institutions would face the choice of dropping coverage for their employees or violating their consciences.

The Nation's Catholic bishops and many other religious institutions pleaded with this administration to grant broader waivers to avoid jeopardizing these institutions' constitutional rights to freely exercise religion. But the administration, rather than side with millions of religious Americans who just want to be left alone to practice their own faith, decided to throw in with the most radical of proabortion advocates. They decided to subordinate our central constitutional commitment to religious liberty to a radical agenda that is overtly hostile to all of these people of faith.

The response has been overwhelming. At church this weekend millions of American Catholics were read a letter from their bishops. The message was simple, and it was powerful. This action is unjust and one with which they