

On July 16, Betsy McCaughey, a former lieutenant governor of New York and darling of the right, said on Fred Thompson's radio show that "On page 425"—

They talk about page 425, but it doesn't exist there or anywhere else. But that gives them credibility.

"On page 425, Congress would make it mandatory . . . that every five years, people in Medicare have a required counseling session that will tell them how to end their life sooner, how to decline nutrition." Sarah Palin coined "death panels" in an August 7 Facebook post.

Mr. President, that is a lie.

Next is that the government will set doctors' wages. This is the socialized medicine thing we hear so much about, that all this health care debate is about is socialized medicine. This is in the magazine.

I have told people in Nevada and everywhere I went during the break that the only person I have ever heard in many years who spoke about a single-payer system was Paul Wellstone. He did it proudly. He believed in it and he talked about it. But he is the only person I have heard talk about it since I have been in Congress. But the government setting doctors' wages is a lie. Socialized medicine is not part of the plan that is being talked about. That is simply not true.

I hope people will come back to reality and understand that what we are trying to do is fix a system that is bankrupting our country. Insurance companies are making huge amounts of money. They are not subject to the antitrust laws. They are taking advantage of the American people. Their No. 1 goal is to see how much money they can make, and that is not a lie. We are trying to change the curve.

Right now, in America, one-sixth of every dollar spent by everyone—it doesn't matter where you are—is for health care. If we don't change that, by 2020, which is close, 35 percent of every dollar spent will be for health care. We are not trying to take away benefits from old people. We are doing our very best to have a fair system and one that stops the insurance companies from taking advantage of everyone.

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 proceed to a period of morning business for 1 hour, 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. The majority will control the first half and the Republicans will control the second half.

The Senator from Illinois is recognized.

REMEMBERING SENATOR EDWARD M. KENNEDY

Mr. DURBIN. Mr. President, we knew it was coming. Yet the sight of Senator Edward Kennedy's desk draped in the black velvet of mourning is painfully sad.

America and the world have lost a great champion of civil rights, human rights, and fairness. As President Obama said so well, Senator Kennedy was not only historic, he was heroic.

We will have more time later this week to talk about his extraordinary life and the honor those of us who served with him enjoyed during his life. Today, I wish to say what a great honor it was to have worked alongside Ted Kennedy.

On his desk today is a copy of one of his favorite poems, "The Road Less Traveled" by Robert Frost.

There is another Frost poem that is identified with the Kennedys that Ted Kennedy loved as well. It is called "Stopping by Woods on a Snowy Evening." It is the story of a man who pauses to admire the simple serene beauty of a New England woods filling softly with snow and wishes he could stay longer. It reads:

But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

Unlike his beloved brothers, Senator Kennedy's life was not one of promise cut short but a life of promises kept. He loved America, and his life's work made us a better and more just nation.

If Ted Kennedy were here today, I feel absolutely certain that he would be on the floor at this moment talking about health care. It really was the hallmark of his public career. From the beginning, he understood this was one of the most fundamental things when it came to justice and fairness in America.

The fact that 47 million Americans have no health insurance is at least embarrassing, if not shameful, in this great and prosperous Nation. Who are these people, these 47 million? Are they lazy or just unlucky? Well, they are not the poorest in America because we provide for the poorest. We have Medicaid, which provides basic health care for those who are out of work and have no source of income or savings. They are not the fortunate few or the fortunate majority, because they don't enjoy health insurance, as most of us do, where they work. They are people who get up and go to work every single day, without the assurance that they are going to have protection if they run into medical bills.

This morning, in the State Journal Register, which is published in my hometown of Springfield, IL, there is a story of one person, Terry Broida. He is a fellow who is down on his luck. He is 62 years old, and he says:

"I couldn't get a credit card to buy a postage stamp," said Broida, 62, who estimated he owes \$80,000 to Springfield doctors and hospitals, money he doesn't think he will be able to pay.

Is he out of work? No. He is a small businessman who operates an air-filter maintenance company, and he is one of more than 45 million Americans who have no health insurance.

It says:

He wants to see Congress and the Obama administration cover all Americans through a universal, government-controlled system. And he's not scared of what some would call "socialized medicine."

He said this Tuesday:

We have socialized medicine already—it's called Medicare, and it works.

This says:

America's health-care costs total more than \$2.2 trillion a year, accounting for 16.2 percent of the gross domestic product in 2007.

That is \$1 out of every \$6 spent in America.

And yet, the latest statistics indicate that 15 percent of Americans [like Terry Broida] were uninsured in 2007.

Health care costs are crippling the ability of many companies to compete, and many companies are dropping coverage.

Broida, the father of six, hasn't had health insurance [in 40 years] since 1969, when he was 22 and sold life insurance [at a local agency]. When he left that job, he operated furniture stores for more than 30 years.

He said, "I was young, stupid and thought I could handle anything."

He said he never could afford health insurance but always seemed to scrape together enough money for doctor visits for himself, his kids and his now-ex-wife—until 1980, when he broke his right leg playing softball.

To pay for the \$3,000 surgery to fix his leg, he agreed to reupholster the surgeon's furniture.

"It was a pretty good swap," Broida said. But that doctor died a few months later, leaving Broida with no one willing to accept a similar swap to remove the metal rod [the doctor put] in his leg.

The rod is still there today, 29 years later.

A 17-foot fall through a roof while working in early 1990s left him with another \$3,000 hospital bill he couldn't pay, and a heart attack in 1995 generated a \$25,000 bill to St. John's Hospital [in Springfield, IL].

He thinks the hospital forgave most of the bill.

Fearing another big bill, [Terry] decided not to seek medical care in 1996, when he fell off another roof. "I just laid in bed until the pain went away, and I went back to work," Broida said.

Spinal stenosis almost crippled him until his primary care doctor at [a local community health center] referred him for emergency surgery in 2007.

The surgery worked, but the surgeon was from a local clinic which did not offer discounted rates to patients, such as they offer to major health insurance companies. The doctor bill alone for his emergency surgery was \$40,000. Broida said, "There's no way in hell I can pay \$40,000."

At one time, he said, he earned \$50,000 a year. He said he now makes about \$18,000 while recovering from surgery.

He went on to talk about the fact that he had heart problems that may have been complicated by dental problems. He cannot afford regular dental

care, obviously. He basically said he is for a universal system of health care. He would like the Federal Government to establish a public option to compete against private insurance companies so people like him could afford insurance.

He said in this article:

"Businesses exist to make a profit," he said. "Government exists to provide a service."

Asked whether the debate about reform makes him hopeful, he said powerful lobbying interests will be a barrier to major decisions by congressional lawmakers.

"I'm not holding my breath," he said. "It's all about the Benjamins. If they listen to the money we're screwed."

Terry Broida, Springfield, IL, one of 47 million uninsured Americans who are all over our country. They got up and went to work this morning at their small businesses and working for other people. They made the bed in your motel room last night. They are going to take the dishes off the table when you finish with your breakfast. They are the folks who are watching your kids at daycare. They are the ones who are watching your mom in the nursing home. And they are the ones who do not have health insurance.

What kind of a country are we if we can ignore the obvious—47 million uninsured Americans. When people come to the floor and rail about health care reform and talk about socialism, they are talking about whether we as a nation can reach out and provide for those who go to work and do not have the protection and security of health insurance. I do not call that socialism. It is fundamental Americanism and fairness. It is what has defined us as a country for so long.

It has been almost 80 or 90 years now since we decided that if you make more money in America, you will pay more in taxes than someone who makes less. Socialism? I don't think so. I think it is fairness, and that is what we are getting down to in this debate.

Tonight the President of the United States will speak to us, not far from here, across the Rotunda. I am not sure exactly what he is going to say, but I know one thing for sure, he is not giving up on his promise to America to make a difference when it comes to health care. This President understands it is once in a political lifetime that you can change this country for the better.

He also understands there are powerful forces against him, people who are making a fortune off the current system who do not want anyone to rock the boat. Oh, they are not going to say that. They are going to come up with some of the things Senator REID referred to earlier—the great lies about death panels and cutting off people when they need chemotherapy late in their life. They are going to peddle those lies and try to mislead and distort the debate. But I don't think they will succeed because I believe the American people understand that the best thing for us to do is not go through shoving and shouting at town

meetings but sit down and have an honest debate and answer questions honestly, not the kind of distortion and lies we have seen.

For Terry Broida, \$80,000 in debt to the hospitals and doctors in my hometown, he will go to work tomorrow in his little business and try to keep it going. He will see his own medical condition deteriorate. I wonder if, on the floor of the Senate and the House of Representatives, there will be anybody listening to his story and deciding that America can do better.

We are the fortunate few on the floor of the Senate. We have the best health insurance in America. Every American deserves that kind of health insurance. We have an opportunity once every year to pick from private health insurance plans, the ones that are right for our family. If we pick a big plan, we pay more out of our payroll deduction. If we pick a smaller plan, we pay less. But we have that right, that choice, that security, and peace of mind to know our families are going to be protected.

Many of the same Senators who come to the floor and to their town meetings to rail about public options and public-administered health care plans happen to belong to one right here in the Senate. Interesting, isn't it? Terrible for everybody else but perfect for them and their families.

I think the American people can see through that. They understand that, at the end of the day, we can improve this system and make it better and fair. They understand if they have health insurance they want to keep, it is going to be their right under any change of the law. If they have a doctor they trust, they can stay with that doctor. That is going to be protected.

But if they are similar to Terry and have no health insurance or they have health insurance which is terrible, we want to give them the same choice Members of Congress have: to pick the health insurance that is right for them, and for those in lower income categories, to give them a helping hand to pay for that health insurance premium. That is only right, and it is only fair.

We want to make sure these health insurance companies do not continue to rip off people. Two out of three people who file for bankruptcy in America today do so because of medical bills they cannot pay, just like Terry. Two out of three file for bankruptcy because of medical bills. You know what, 78 percent of them, more than three-fourths of those filing for bankruptcy because of medical bills have health insurance. It is no good. It wasn't there when they needed it. The company denied their benefits. The company refused to pay, and they were stuck, losing everything—their life savings, things they had saved for the future, gone.

We cannot allow this to continue. We cannot allow the radical voice we have heard over the last several weeks distorting the facts about this debate to

prevail. This is a time for us to stand and do the right thing for this country and bring coverage to those today in America who do not have the most basic security we all need—the security of knowing that when you wake up in the morning, you are not one accident or one diagnosis away from being wiped out financially.

For 47 million people, that is the reality of life in America. The President tonight will challenge us to change it. We have to have the political courage to do it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN. Mr. President, I applaud the remarks of my friend from Illinois and his leadership on health care issues. He is one of the people in this institution—and I wish there were more—who went home and listened to people and came to the floor of the Senate to talk about the stories of people because that is why we are here. He represents them very well. That is why he supports this health care plan by the President. That is why he supports the public option and coverage for all—prevention and wellness and all that is in this legislation—insurance company reform that matters.

I thank my friend from Illinois.

Mr. President, tonight President Obama addresses the Nation, just down the hall, in a joint session of Congress, an historic night. A President has not addressed a joint session of Congress, other than a State of the Union Address which comes at the beginning of every year, since President Bush did it right after September 11. We know how important this is.

President Obama is stepping up and going to be more specific and more forceful and help to set aside and answer all the distortions the Senator from Oregon, the Presiding Officer, and I and others heard at our meetings in our States in August, when we were home talking to people about this health care legislation.

I went to the most conservative part of my State, Cincinnati, and did my first large townhall meeting. Mr. President, 1,500 people showed up; 1,000 of them generally were supportive of this health care bill with a public option. About 500 were opposed.

Several people stood and some argued that they did not like it. They called it socialism. They talked about death panels, and they talked about illegal immigrants, none of which are in the bill, of course. They have been misled, in large part, by insurance company interests in this city that have done all they could to propagate this misinformation all over the country.

The CEO of Aetna was paid \$24 million last year. The CEO of CIGNA and so many of these other companies makes tens of millions of dollars a year. That is just their top executives. Obviously, other executives make millions of dollars a year, while too often they deny a person coverage because of

a preexisting condition or they put an annual or lifetime cap on an insurance policy that makes you understand that if you get really sick, your policy was not nearly as good as you thought it was because they canceled your insurance or plans tend to discriminate on gender, geography, disability, and age, in many cases.

This legislation we will bring to the floor that was passed out of the committee on which the Presiding Officer sits, the Health, Education, Labor, and Pensions Committee, and passed three committees in the House of Representatives, will say you can keep the insurance you have, but we will build consumer protections around that insurance so insurance companies cannot cut you off, cannot deny you care, cannot cancel your insurance policy, cannot do—the technical term they use is “rescission”—when they find all kinds of reasons to cancel you.

I wish to talk a little bit about this townhall meeting in Cincinnati in the most conservative part of the State where people said: Are you sure you want to go there? Because there is all kinds of misinformation, all kinds of anger and disagreement with the bill. I found that was true only in a minority of people who showed up.

It was a huge crowd we had at the University of Cincinnati. One woman particularly got my attention, a young woman named Rachel, 17 years old. There were three high schools—Wyoming High School, which is in a suburb of Cincinnati, and another couple schools that were also there. This 17-year-old girl said—her name is Rachel—she said: My father’s side of the family has the breast cancer gene, the gene that often indicates a high likelihood of breast cancer in the next generation of women. She said: My mother has had some autoimmune diseases in her family.

She said: I go to the doctor every year. I am very healthy. She looked great. She was outspoken and friendly. She said: I go in once a year. I have a physical. I am fine. I have never had any illness of any consequence. My parents’ insurance company told me because of my parents’ illnesses or just my parents’ condition—not even illness at this point—I was told by my parents’ insurance company that I would not be able to get insurance because I have a preexisting condition. She has never been sick, but she has been told by the insurance company that she would not get any insurance.

What kind of behavior is this? Insurance companies are going to do what they are going to do. Their bottom line is to try to figure out how they can bring in the most revenue possible and how to pay out the fewest dollars as possible. The way you do that is to deny care. I understand that is their business model. I don’t blame them for that. I don’t hate the insurance companies. I understand we need rules that insurance companies cannot do that. There is no reason the law should allow

this insurance company to deny Rachel, from Wyoming High School in a suburb of Cincinnati, her care.

Then I did other meetings around Ohio in Cambridge, in eastern Ohio, a small town. Mark, from Cambridge, discussed how businesses are struggling with crushing premiums and copays that take money away from company earnings and employee salaries. He learned, as a small business owner, health insurance reform—our bill—will provide tax credits to buy coverage for employees and, as we talked earlier, will prevent insurers from dramatically increasing premiums if an employee gets sick.

Imagine you have a business in Eugene, OR, or there is a business in my State in Akron or Zanesville or Lima. It is a small company that has 25 employees, and two of these employees get a serious form of cancer which costs them—they all have insurance through their employer—tens of thousands, maybe hundreds of thousands of dollars. The insurance company will do one of two things. They will either jack up premiums so high that the small business may not be able to afford the premiums and will have to lay off people or cancel the insurance or the insurance company will cancel their insurance. Either way, that will not work for their employees who did nothing wrong.

One of the things this legislation does is give those small businesses a tax credit so they, in fact, can insure their employees and make a financial go of it. It allows the small businessperson to take his whole business and all his employees into this exchange where they will get a choice of insurance companies. They could go with Aetna, CIGNA or United Health. They could go with a not-for-profit mutual company called Ohio Mutual. They could go with a public option. They have a choice. That is the point of a public option—to give a whole array of choices and at the same time have insurance reform so those companies can no longer cut off people because of a preexisting condition or deny care for a whole host of reasons. And the public option will help us enforce that by giving people that option where they simply would not cheat and would not deny coverage like that.

Another young man at one of our meetings in Columbus—Brenton, a recent college graduate—talked about how the excitement of graduating turned into anxiety knowing that he is one illness away from towering medical bills and even unemployment. Brenton, like millions of other recent college graduates and young adults, will benefit from low-cost plans and longer periods to stay on their parents’ plans. I can’t count the number of young people—21, 22, and 23 years old—who don’t have insurance because when they graduated college, left home, or whatever, in their early twenties, their coverage was canceled. They could no longer be part of their parents’ insur-

ance plan. Under this legislation, every person is allowed to stay—if the parents want them and the children want to—on their parents’ plan until the age of 26, an age when young people begin to get better employment that can also lead to coverage.

Jane from Cambridge—eastern Ohio—discussed how her retirement security is being shattered by ballooning out-of-pocket costs and outrageous premium hikes. She will benefit from health insurance reform that roots out waste, fraud, and abuse to preserve the long-term sustainability of Medicare. She will also get assistance under our core medical bill, closing the doughnut hole, if she had the Medicaid prescription drug coverage. This doughnut hole has swallowed up so many people who have been buried in huge costs for their prescription drugs because of the way the Medicare bill was written 5 years ago.

You may remember back in those days—and we don’t operate that way anymore—the drug and insurance companies sat down with President Bush and wrote the Medicare privatization bill. It was written for the drug companies; written for the insurance companies. They benefitted most from it. It created this huge doughnut hole where senior citizens have huge out-of-pocket costs they have to bear. This legislation begins to close that doughnut hole so that would not be the case.

Mr. President, it is clear that as many of us—the Senator from Illinois and the Presiding Officer from Colorado—went around our States in the last month and listened to people—such as the young college student who lost insurance; or Rachel, the young woman in Cincinnati who might have a preexisting condition, even though she had not been sick a day in her life or been diagnosed with any preexisting condition; or the small businessperson and fellow named Mr. Fisher in Cincinnati who told us how he has covered his employees for 26 years and how every year it gets harder and harder, to the point now where he has had some serious illnesses in his company of 40 or 50 or 60 people, if I can recall, and he simply can’t continue to cover all of them—every one of these individuals has a specific problem. Many of them are happy with the insurance they have, if they have it, but many of them know the anxiety of what might happen with a preexisting condition or what might happen to them or their employees. Insurance is good only when it always works. That is what this bill does.

Insurance companies will have to do what they promise, not in the fine print but what they promise. This legislation goes in that direction.

We look forward to hearing the President tonight as he leads us on this very important issue. This will be perhaps the most important vote in the next couple of months that any of us cast, at least on a domestic issue—or maybe the most important vote in our lives

outside of voting on the Iraq war 6 or 7 years ago. But this is probably the most important vote we will cast in our careers.

We have moved intelligently. I think we have moved cautiously. We are ready to move this bill forward, get it to the President's desk by the end of the year. It is going to make a difference in the lives of tens of millions of people in the country.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Illinois.

Mr. DURBIN. Mr. President, I see the Senator from Florida is on the Senate floor, so at this point I ask unanimous consent to reserve the remainder of the time on the majority side and yield to the Senator from Florida who will be recognized in morning business on the other side.

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

The Senator from Florida.

FAREWELL TO THE SENATE

Mr. MARTINEZ. I thank the Senator from Illinois for his kindness and appreciate the opportunity to proceed with my final speech on the floor of the Senate, which is a unique moment in time for sure.

The opportunity to serve in the Senate is really the culmination of what has to be an unlikely journey from the place of my birth in a small city in Cuba to having journeyed to the United States and having had the incredible opportunity to be in the Halls of the most cherished institution of democracy anywhere in the world. It has been, indeed, a privilege and an unlikely journey, as I say.

I am really very grateful to the people of Florida for having given me the opportunity to represent them in the Senate, and I think of my time in the Senate as a culmination of my time in public service, the close of a fulfilling chapter in my own version of the American dream.

Having lived through the onset of tyranny in one country and played a part in the proud democratic traditions of another, I leave here today with a tremendous sense of gratitude for the opportunity to give back to the Nation I love—the Nation not of my birth but the Nation of my choice, which is a significant difference. It is a great nation with a proud tradition throughout its history of welcoming immigrants to this country and, in addition to welcoming, it has given us the opportunity to do great things for all who are a part of this country.

So that is why I consider serving my community, my State, and our Nation for the past 12 years a great privilege. It was a desire to give back, to make a contribution to this Nation that propelled me to enter a life of public service. As a mayor and Cabinet Secretary, and as a Senator, preserving opportunities for others to receive their own claim to the American dream has always been a mission for me.

I have worked during all phases of my public life with a sincere desire to make a difference, and today I prepare to return home knowing that I have done my best to advance the things that make our Nation great, prosperous, and free. We truly live in the greatest Nation in the history of the world, and throughout my life in public service I have been humbled to play a proud role in this democratic history of our Nation.

As mayor of Orange County, it was a real pleasure and privilege to lead the community that had done so much for me and for my family when we first arrived in this country. Then to have the opportunity to lead them as mayor was indeed a rare treat and a wonderful opportunity. We carried out an aggressive agenda and tried to do the that which would better the lives of everybody who lived in Orange County, and I am proud of some of the many things we accomplished there.

Upon my service as mayor, I received a call from then-President-elect George W. Bush to serve my adopted Nation as the first Cuban American to serve in the Cabinet of a President, which was, again, a rare privilege and a wonderful opportunity. The call to serve as HUD Secretary was unexpected and not only a source of pride for me and my family but especially for the entirety of the Cuban American community. I will always be grateful to President Bush for giving me such a historic opportunity.

My time of serving on the Cabinet was punctuated by the terrorist attacks of September 11, 2001. These were sobering events. These were events that turned the focus of the Nation from a fairly carefree time dealing largely with domestic issues to a focus on the reality of what had occurred in New York and Pennsylvania and right here not far from this Capitol. It was part of my job as HUD Secretary to work on the reconstruction of Lower Manhattan. That and a number of other things were added as responsibilities for those of us in the administration at that time. Forevermore I will remember those days as having been a very significant part of my life in public service.

There is no question that it was a privilege to serve the President, but there is no greater honor than to have the people of Florida send me to Washington to serve them as a Member of the Senate. Aside from the debates and the speeches and all the work that goes into turning ideas into law, one of the most rewarding experiences has been helping Floridians resolve issues they have in their everyday lives.

In the short time I have been here, my office has assisted more than 36,000 Florida families through casework and written correspondence and countless more efforts. We made tremendous progress on many of the issues that face our State, including efforts to develop our natural energy resources while protecting the environment, seeking to modernize our military

through increased shipbuilding and ensuring we meet the Navy's goal of strategic dispersal—very important to our country but also to Florida—and working to protect our Nation's home buyers from bad loans, bad investments, and predatory lending practices.

It has also been rewarding to know our work can often impact the lives of those living outside our borders fighting for freedom and those things which we hold dear. I brought to my work a belief that it is always necessary to provide a voice for those who are silenced for attempting to advance the cause of freedom.

Having lived under Cuba's repressive dictatorship, I have always recognized the struggle of those who fight for freedom. That has always been, and will continue to be, a lifelong passion. I have taken every opportunity to recognize those engaged in Cuba's peaceful civic struggle for democratic change and those who stand up for their human rights. There are names such as Dr. Oscar Elias Biscet, Antunez, the Damas de Blanco—the "Ladies in White"—and also the victims of the Black Spring government crackdowns. It is my fervent hope that one day in the not too distant future the people in Cuba will live in freedom with dignity and hope for a better tomorrow. Freedom is their God-given right.

Even though I will no longer hold public office, I will devote myself to seeing the day when the people of Cuba can live in freedom. The preservation of all freedoms, whether they be in Cuba or around the world, call us to stand up wherever and whenever it is threatened.

One series of events will stand out in my mind as evidence of the power of an individual. A constituent of mine—a woman by the name of Cuc Foshee was falsely imprisoned in Ho Chi Minh's prison while she was visiting her family in Vietnam. This was a lady who fled Vietnam and who lived in Florida. She went back to Vietnam for a family wedding, and while she was there her views about the government of Vietnam were clear and well-known, so she was, for no particular reason, thrown in jail in Vietnam. When this matter came to my attention, she had been in detention for over a year. She was denied any of the basic rights that we understand and know. She had no opportunity to have contact with home, and she had no real hearing and no fair trial. Yet she was still in prison.

One of the wonderful opportunities I have had in my time here was to work for her release. It so happened that, working with President Bush and then-Secretary of State Rice, we had before the Senate the Vietnamese Free Trade Agreement. President Bush was planning a visit to Vietnam upon the completion of that agreement. So utilizing the resources all of us have in the Senate to ensure the consideration of that free-trade agreement was somehow connected to the freedom of this innocent woman, I was able to work with