

would pay out far less in benefits than it would receive in premiums over the 10-year budget window," raising \$70 billion in premiums that will fund benefits outside the window. As a result, CBO further concluded that "in the decade following 2029, the CLASS program would begin to increase the deficit." Again, this is exactly the wrong direction for America.

We also need to repeal the administration's "grandfathering" regulations. Not even a year after the administration promised that if you like the coverage you have, you can keep it, we find out that buried in 121 pages of regulations, which resulted from just 2 pages of legislative text, I might add that, no, that is not exactly true—far from it. In fact, the administration itself projects that up to 69 percent of all businesses and 80 percent of small businesses will not be able to retain the coverage they currently provide and will be forced to offer more costly coverage as opposed to hiring new workers and growing their businesses. So we must repeal these regulations this year.

Finally, I also strongly oppose the individual mandate in the new law, which would require, starting in 2014, Americans to have maintain insurance coverage or be subject to a financial penalty that would ultimately be the greater of \$695 per uninsured individual or 2.5 percent of income. How can the Federal Government require its citizens to purchase health coverage without first guaranteeing that an affordable coverage option will be available to all Americans in the private insurance market?

Numerous court challenges are underway questioning the constitutionality of the individual mandate. Last November, I joined with Republican Leader McCONNELL with 30 other GOP Senators to file a friend-of-the-court brief in the lawsuit in a Florida Federal court brought by the National Federation of Independent Business and now 26 States, including Maine, and I am pleased that just this week, the Florida judge agreed with us and struck down not just the individual mandate but the entire bill.

In its ruling, the court held that the "individual mandate is outside Congress' Commerce Clause power" and that it is not constitutional. The court concluded that the new law has "450 separate pieces, but one essential piece (the individual mandate) is defective and must be removed. It cannot function as originally designed." In the courts view, and I agree, "that the individual mandate and the remaining provisions are inextricably bound together in purpose and must stand or fall as a single unit."

So moving forward, with serious questions about the constitutionality and workability of this new law, a top priority this Congress must be to repeal the health reform bill and replace it with workable alternatives that would result in more competitive

health insurance markets. That is why, first and foremost, we must expedite allowing individuals and small businesses to purchase health insurance across State lines, which, as I have long said, would interject unfettered competition and new coverage options into stagnant insurance markets like those in Maine, where we have just two carriers offering coverage in the individual insurance market. That is why in the Senate, I long championed association health plan, AHP, legislation—and developed regional compact proposals—that would have allowed small business and the self-employed to band together, across State lines, to secure quality coverage made affordable through administrative cost savings and greater bargaining power.

We must also develop a plan for affordability by maintaining certain widely agreed upon elements of reform, such as outlawing unconscionable insurance industry practices, banning preexisting condition limitations, and allowing parents to keep children on plans until age 26.

#### MORNING BUSINESS

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

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

#### REMEMBERING EDDIE ESCOBEDO

Mr. REID. Mr. President, I extend my condolences to the family of my good friend Mr. Eddie Escobedo, who passed away in Las Vegas, NV, on October 15, 2010. He was 77 years old.

Eddie left behind his loving wife of 50 years, Doña Maria Escobedo, his children, Eddie, Jr., Hilda, Nicolas, Victor, and nine grandchildren. His passing leaves an empty place in the lives of those who knew and loved him, but it also leaves an enormous void in the Las Vegas community.

Eddie was best known as the publisher of the Spanish-language *El Mundo* newspaper and a strong advocate for the Hispanic community. He arrived in southern Nevada when approximately 60,000 people lived in the Las Vegas Valley. His assertive leadership drew attention to the issues that pertain specifically to the Latino community, paving the way for hundreds of thousands of them who now reside in Nevada.

Eddie was born in Juarez, Mexico, in 1932, and as a teenager immigrated to the United States. He recognized early on that in America he would have the opportunity to accomplish his dreams. He enlisted in the Air Force and earned his citizenship after serving with distinction.

Several years ago I received a call from my friend Eddie to invite me to Christmas in the Barrio, where he

would help give toys to needy children. Seeing those little faces glow because they would have a little bit of Christmas even though their families were struggling is a memory that I keep very fondly. Eddie's actions that day crystallized who he was in this community, and it reinforced my commitment to public service.

Eddie spread democracy through his incisive columns published in his newspaper, which often became the voice of the Latino community in Las Vegas. His columns also inspired his 175,000 weekly readers to become active in the community and to exercise their right to vote.

Eddie Escobedo's dedication to Nevada changed the community that he loved and fought for. He will be missed. His legacy and big heart will live on through his publication—*El Mundo* Newspaper—as it continues to play a vital role in the lives of Hispanics throughout Nevada by conveying the challenges and experiences Latino families face on a daily basis.

#### SUPER BOWL XLV

Mr. LEVIN. Mr. President, when we tune in this Sunday night to watch Super Bowl XLV, we will cheer players from all across our Nation. But as a Michigander, I will take special pride in watching the several players from Michigan colleges. I will cheer Flozell Adams of Michigan State University; Charlie Batch and T.J. Lang of Eastern Michigan University; Larry Foote, LaMarr Woodley and Charles Woodson of the University of Michigan; Greg Jennings of Western Michigan University; and Nick McDonald of Grand Valley State University.

But what is perhaps most extraordinary is the fact that four of the players on the field this Sunday will come from a single Michigan institution, Central Michigan University. As reported by the *Morning Sun* of Mount Pleasant, CMU's hometown paper, only three other schools—Louisiana State, Ohio State and Tennessee—will have as many players on the field, and none will have more.

The four CMU players—Steelers receiver Antonio Brown and Packers cornerback Josh Gordy, linebacker Frank Zombo and defensive tackle Cullen Jenkins—each enjoyed stellar careers for the Chippewas. Brown, Gordy and Zombo all played on multiple Mid-American Conference championship teams. The presence of these four players shows that it's not the size or the fame of the football program, but the effort and determination of its people, that bring success.

That is true not just in athletics, but academics as well. CMU is ranked among the Nation's top 20 research institutions with 16 or fewer doctoral programs. It offers groundbreaking programs in fields such as athletic