

Credit card legislation—so important—we finally were able to do it. After years of talking about doing it, we did it to stop the ripoffs of these credit card companies and what they were doing to hurt Americans—all Americans.

We passed tobacco legislation. I can remember, when I was working in the Capitol of the United States going to law school, the Surgeon General came out with the first report that smoking was bad for you. Some people thought that was the case, but the Surgeon General of the United States said it will kill you. We have been trying ever since then to get control of tobacco. After all these years, we did it.

We have been able to work on other important pieces of legislation—financial fraud, reported out of the Judiciary Committee, which stops scams taking place on people who are about to begin foreclosure, taking advantage of people who are in a time of distress. We passed a lot of housing legislation that is important to allow people to stay in their homes. Have we stopped it all? Of course not. But we have done a pretty good job at that.

We are now arriving at a point where we are going to pass the supplemental appropriations bill, which is very important, to fund our troops. This is the last time we will have to do this because President Obama is honest with his budgeting. The cost of the war is in his budget. It was never in President Bush's budget. For the 8 years he was President, he never put it in his budget. We had to come back and do supplemental emergency appropriations bills to fund our troops.

It is interesting to note, all but five Republicans in the House of Representatives voted against funding the troops yesterday. It will be interesting to see what happens here. Are my Republican colleagues going to join with us to fund the troops? I think so. I certainly hope so.

We have accomplished a lot more than what I have just outlined, but we have done it by reaching out to the Republicans. We have not gotten a lot of help from the Republicans, but we have gotten enough to pass bills. For example, on the economic recovery package, we needed 2, and neither one of the 2 would be the 60th vote, so we had to get 3, and we got 3. I appreciate very much the courage of Senators SPECTER, SNOWE, and COLLINS in doing that. It was good for their States and good for our country. We have reached out to the Republicans time and time again.

HEALTH CARE DEBATE

Mr. REID. Mr. President, we began this year dedicated to delivering the change the American people demanded in November. We began this Congress committed to making life better for the middle class, for hard-working families who play by the rules. But the American people also demanded something more. They said that we, their

leaders, should not be unwilling to work together. The challenges we face have left no one unscathed. We are all in this hole together, and the only way we climb out of this hole is by doing so together.

When the American people spoke last year, they gave us, above all, a mandate for bipartisanship. It was in that spirit that I wrote my Republican colleagues this spring. In that letter, I said one of the best ways to lift our economy is to keep down health care costs. Almost 50 million Americans have no health care, and the problem grows worse every day.

Every day, more Americans go bankrupt or lose their homes just trying to stay healthy. Even those fortunate enough to have insurance pay a hidden tax for those who do not. What does that mean? It means 50 million people, when they get sick or hurt, go to the nearest emergency room. That emergency room may be across the street or 50 miles from where they are, but that is where they go. That increases the cost of every one of our health insurance policies, it increases the cost of the doctor bills we get, the hospital bills we get, and indigent taxes. If your family has health care, you pay at least \$1,000 more than you would if all other families had health care.

In that letter, I expressed my sincere hope that Republicans would work with us to respond to this emergency. I extended my hand. I asked for their help. Although I knew we would disagree at times, I told them I looked forward to an open and honest dialog about how to help struggling Americans.

In this letter, I especially asked Republican colleagues to focus on the concrete and critical crisis that affects children, families, and small businesses every day—a parent cannot take a child to a doctor because insurance does not exist or is prohibitively expensive; a family lives one accident or illness away from financial ruin; small businesses lay off employees because they cannot afford skyrocketing health care premiums. We hear those stories every time we go home.

I asked in that letter that we use the short and valuable time we have to work together in our common interest rather than against each other and against the interests of the American people. I wish I could say Republicans answered those words with deeds of equal good faith. But how have they responded regarding health care? Have they taken the hand we have extended across the aisle? No. Have they taken the seat we offered at the negotiating table? No. Have they engaged in a productive debate about real people and real problems that relate to health care? No. Have they shown they are just as interested as we are in working with each other rather than against each other? No. Have they told us a single thing they are for rather than what they are against? No; it is always what they are against. In fact, “no” is

all we hear from the Republicans these days. Instead of debating facts, Republicans have committed themselves to a strategy of misinformation and misrepresentation.

We have different priorities. We are committed to lowering the high cost of health care, ensuring every American has access to that quality, affordable care and letting people choose their own doctors, hospitals, and health plans. We are committed to protecting existing coverage when it is good and improving it when it is not and guaranteeing health care for millions, including 9 million children who have none.

I don't believe doing nothing is an option because the costs of doing nothing are too great. We must pass health care reform this year. As we said at the start of this year, at the start of this work period, at the start of this debate, we will continue doing our best to work with Republicans and pass a bipartisan bill.

In spite of the past, I remain optimistic that both Republicans and Democrats recognize how urgent this health care debate is. The health of our citizens and our economy is at stake, and neither will be able to recover if we wait. But as important as bipartisanship is—and it is important—it is not as critical as helping the nearly 50 million Americans who have nowhere to turn, the other 20 million who have bad insurance, and the rest of America, which is paying at least \$1,000 more for their insurance policy as a result of people having no insurance.

As I said in my letter this April, in order for this bipartisan process to take root, Republicans must demonstrate a sincere interest in legislating. I hope they do so because one way or another, we are going to get health care reform done.

Thank you, Mr. President.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, earlier this year, the new administration proposed and Democrats in Congress approved an economic stimulus bill that was meant to lift the economy at a time of massive job losses and widespread economic hardship. Not only was the bill enormously complex, it was also one of the costliest pieces of legislation ever proposed. Yet those who put it together insisted it be rushed to a vote.

Their reason, of course, was the economic downturn was too dire to wait. Trust us, they said; it is responsible, it is needed, and it will work. So this incredibly complex, enormously expensive bill, introduced on January 26, was passed less than 3 weeks later, just 24 hours—24 hours—after all its details

had been disclosed to the public for review.

At the time, I argued that spending this much borrowed money in the middle of a recession on a bill that had been rushed to the floor was extremely irresponsible. At a time when millions were struggling to make ends meet, Washington had no business borrowing hundreds of billions of dollars to pay for government golf carts and ATV trails in the name of economic stimulus. This week, Senator COBURN has catalogued some of the other outrages that are contained in this bill. Here are just a few:

The town of Union, NY, received a \$578,000 grant that it didn't request for a homeless problem it claims it does not have. Florida is planning to spend \$3.4 million in stimulus money to build a 13-foot turtle tunnel at Lake Jackson. That is more than a quarter of a million dollars per foot. This one takes the cake. In North Carolina, \$40,234 in Federal stimulus money will pay for the salary—the salary—of someone whose job is to lobby for more stimulus money. That is \$40,234 to pay someone to lobby for more stimulus money.

This would be comical if it weren't so maddening and if these projects hadn't been sold to the American people as the answer to our economic problems and if the administration hadn't assured us it would make sure every cent of this money was spent efficiently and without waste. But that was then.

The administration had promised since January it would keep an eye on how precious tax dollars were spent. But just months after the stimulus was signed into law, it was already admitting funds would be wasted and people were being scammed.

In January and February, administration economists took to the talk shows promising that the stimulus would create 3 to 4 million jobs. They said that if we passed the stimulus, the unemployment rate would now be about 8 percent. But just a few months later, with job losses continuing to mount, the administration admits their early predictions were simply a guess and that they guessed wrong. Today, the unemployment rate stands at 9.4 percent. Just yesterday, the administration said it expects unemployment to climb even higher.

The \$1 trillion they said was absolutely necessary to jump-start the economy, and which was put on a fast track by an eager-to-please, Democratically led Congress, is now being called a very bad guess by the very people who proposed it.

Now they are asking us to do it again, only this time it is even more than \$1 trillion, and the consequences could be far worse.

The early estimates we are getting for the health care proposal we have seen are that a portion of it—just a portion of it—will be \$1.3 trillion. This figure, staggering in itself, doesn't even account for the money that would be needed to pay for expanding Med-

icaid and creating a new government-run plan. No one can tell us where any of this money will come from.

Yet similar to the stimulus, we are being told, in the most urgent tones, that this government takeover of health care is absolutely necessary, and we have to approve it as soon as possible, without review, without knowing the full cost, and without knowing how it will affect people's lives. Once again, it is rush and spend and rush and spend and a tidal wave of debt.

Everyone in America knows health care reform is needed in this country, but they want us to do it right. They do not want a blind rush to spend trillions—trillions—of dollars in the hope that the administration gets it right. During the debate over the stimulus, we were told we had to pass it right away, with just 24 hours to review—or \$42 billion an hour—for the sake of the economy. Now we are being told we need to approve a particular set of health care reforms for the sake of the economy, but we have no bill. We have no idea of its total cost. Yet it is rush, rush, rush.

We have heard all this before. We have made this mistake already. Americans will not be rushed into another one. Americans do want health care reform, but they want the right reform, not a government takeover disguised as a reform that takes away the care they have, replaces it with something worse, and costs untold trillions that they and their grandchildren will have to pay through higher taxes and even more debt.

The administration admits it made a mistake on its predictions about the stimulus. We shouldn't make the same mistake again when it comes to health care.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Arizona.

HEALTH CARE REFORM

Mr. McCAIN. Mr. President, as we all know, health care dominates the agenda and the thoughts and efforts of the Congress of the United States, and it has to be addressed. It is a historic opportunity to achieve the health re-

forms Americans need today more than ever. We need fundamental reforms—reforms that not only help people get affordable health care coverage but reforms that bring down the cost of health care.

Given the enormous cost associated with the bill that has been proposed, I have called on the other side to scrap the bill and start from scratch. We have to get it right. It shouldn't be a partisan process that forces a bad bill through committee. In starting over, we must address the fundamental components of health care reform, including the major drivers of increasing health care costs.

One of the main factors keeping health care cost trends too high is defensive medicine. Many medical practitioners order additional procedures for fear of litigation, which drives up the medical malpractice insurance costs faced by so many in the medical profession. Medical liability insurance is a direct result of out-of-control lawsuits that force physicians to practice defensive medicine to avoid these often costly and baseless liability lawsuits. Any legislation reforming our health care system is incomplete if it doesn't address this important issue.

A 2003 HHS report estimated the cost of defensive medicine to be between \$70 billion and \$126 billion a year. Put that in the light of the report that is in the Washington Post this morning, which states that CBO says Obama's health plan needs spending controls. It goes on to say of President Obama's plan to expand health coverage to the uninsured:

It is likely to dig the Nation deeper into debt unless policymakers adopt politically painful controls on spending, such as sharp reductions in payments to doctors, hospitals and other providers.

There is a way to save about \$100 billion a year—\$100 billion a year. Because if it were updated, the cost estimate would likely increase to \$100 billion to \$180 billion a year. Where is it in this bill? It is nowhere. It is nowhere. That is a testament to trial lawyers of America.

On Monday, before a receptive crowd at the American Medical Association, the President stuck his toe in the medical liability reform waters by acknowledging that medical liability reform is real. But the President also took caps on noneconomic damages off the table by saying:

Don't get too excited yet, just hold onto your horses here, guys . . . I want to be honest with you, I'm not advocating caps on malpractice awards.

This all but ensures that meaningful reform won't happen. Today, the Wall Street Journal stated in an opinion piece:

President Obama mentioned the medical liability problem and . . . we suppose this is progress [but] Mr. Obama's [call] might have had more credibility had he not specifically ruled out the one policy to deter frivolous suits.

Without caps on medical malpractice awards, "the tort lottery will continue."