

which, if we shine the light, we would probably eliminate a large number of them.

Two days ago on Tuesday, the American Public Health Association held a townhall meeting in Memphis, TN, to highlight rural health disparities, one of those geographic disparities that affect people in ways that may not always be obvious. I want to take a moment and acknowledge several people: The Honorable Dr. W. W. Herenton, mayor of Memphis, the Honorable A. C. Wharton, mayor of Shelby County, as well as all the other many distinguished participants and sponsors of this successful event, including another good friend, a former classmate of mine, a medical colleague when I practiced medicine, Dr. Kenneth S. Robinson, who is now commissioner of the Tennessee Department of Health; Georges Benjamin, M.D., executive director of the American Public Health Association; Pat Santel, president of the Tennessee Public Health Association; Shavetta Conner, M.D., regional medical officer, west region, Tennessee Department of Health; Robin J. Womeodu, M.D., executive director, Center on Health Disparities, University of Tennessee; the Rural Health Association of Tennessee; the Tennessee Hospital Alliance, as well as TennCare.

I especially wish to commend APHA, the American Public Health Association, for taking time to hold this particular meeting in Tennessee and for their efforts to bring a comprehensive approach to the problem of health disparities.

I strongly believe any health care disparity among our citizens is simply unacceptable. No patient should be denied quality health care because of their race, where they live, what their ethnicity is, what their gender is, or their socioeconomic status.

Consider some of the facts, and once you hear these facts, you will see why I believe it is unacceptable, there is no good reason for it, and almost all of these have reasons we can address that can change the disparity.

Even when socioeconomic status is equal, the mortality rates are higher among African Americans and American Indians than among other groups.

My own specialty of heart disease—heart disease is, by the way, the leading cause of death in the United States. Heart disease mortality rates are almost twice as high among African Americans as among Whites. Even when we examine heart disease mortality by socioeconomic status, the differences between African Americans and Whites, though significantly reduced, are not eliminated.

African-American and Hispanic women both experience a higher prevalence of diabetes when we compare those groups to White women.

New studies indicate 70 percent of American Indians live in urban areas, and nearly 1 in 4 of these live below the poverty level, and nearly half below 200 percent of the Federal poverty level.

These rates are substantially higher than the rates for all other races combined.

I mentioned income and geography. When we look at the disparities, both income and geography play a major role. For example, African-American men with incomes less than \$10,000 have a heart disease mortality rate that is nearly 3 times that of their counterparts with incomes greater than \$15,000.

Geography is also important. Twenty percent of the U.S. population lives in rural areas. These rural communities often experience poorer overall health status than many urban communities. Notably, residents of rural communities have higher rates of chronic illnesses, such as diabetes mellitus and cardiovascular disease. They also have higher rates of disability.

The reasons for these rural disparities are many. They include factors such as transportation difficulties, lack of physicians, and lack of other health services. Often the health care services that are available are much more limited than those services available to their urban counterparts, to their counterparts in the cities. Also, residents who are in rural areas are much more likely to be uninsured than those in urban areas.

Last year in a speech at Morehouse University, I laid out a plan to combat these health disparities. Since that time, I reached out broadly to a whole range of constituencies, working with stakeholders and national leaders to gather input and ideas. Together we are working to ensure my proposed legislation includes the very best possible strategies to eliminate these health disparities.

These efforts culminated in the introduction earlier this year of major bipartisan legislation. Two months ago, I joined with Senator MARY LANDRIEU, Senator THAD COCHRAN, Senator MIKE DEWINE, Senator CHRISTOPHER BOND, Senator JAMES TALENT, and Senator KAY BAILEY HUTCHISON to introduce Closing the Health Care Gap Act of 2004. This legislation builds on past bipartisan efforts to address disparities, most importantly the Minority Health and Health Disparities Research and Education Act of 2000.

In this legislation, we target five key areas. First, expanding access to quality health care; two, strengthening national efforts and coordination; three, helping increase the diversity of those health professionals who are active; four, promoting more aggressive health professional education that is intended specifically to reduce the barriers to health care, several of which I have already mentioned; and five, enhancing the research to identify sources of those disparities—racial disparities, ethnic disparities, and geographic disparities—and also to assess the intervention strategies we know today are quite promising.

In addition, in closing, we know reducing and eliminating health care dis-

parities is not going to be easy. It is going to be a huge challenge before us. Even a lot of the conversations we must have as a society are very difficult, but we must try, and I believe we can do so.

When we engage in this debate, even in the heat of an election year, all of us need to keep in mind the stakes could not be higher. We are talking about the health and the lives of our fellow Americans. The only way we can make progress toward ending health disparities is by forging bipartisan solutions.

Again, I commend the APHA for focusing this entire week on health care disparities. I also appreciate the efforts they have made to support this bipartisan legislation in this arena of health disparities.

I look forward to working with the APHA and all of my colleagues to continue to work to combat the health care disparities that currently do plague our American health care system and, as long as those disparities exist, hurt innocent people.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SMITH). Without objection, it is so ordered.

INSOURCING AND OUTSOURCING OF JOBS

Mr. FRIST. Mr. President, I will take another few moments to talk on a separate issue that centers on a topic that has been the subject of a lot of debate and a lot of discussion on the Senate floor and elsewhere. It is the overall topic, the phenomenon of outsourcing. Critics contend that a company's effort to deliver a product or service more cheaply and efficiently to the American consumer is hurting our economy and hurting America's workers. Indeed, this has become fodder for sound bites that I think are not justified and thus want to take a few moments to talk more broadly about what outsourcing is and what it is not.

I should begin by starting with the flip side of outsourcing and that is insourcing. What is "insourcing"? What is this phenomenon of insourcing? Well, it has been a company such as Nissan opens a plant in the United States and thereby creates high-paying jobs for American workers to the benefit of those American workers. In fact, that is the very thing that happened in Tennessee when, in 1980, Nissan opened its first plant in Smyrna. In the 1970s, Tennessee, like the rest of the country, was struggling with high unemployment several times the current rate of 5.6 percent. Then Nissan opened a manufacturing plant in Rutherford County and Rutherford County then went into high gear.

A few years later, Saturn announced it was opening a plant, and today middle Tennessee is home to three major automobile factories. Nissan today employs roughly 7,400 workers and in the year 2000 paid out \$27.7 million a month in payroll. That is insourcing.

Mark Herbison of the county's chamber of commerce says with understandable home pride:

We continue to see our existing companies grow and expand. That is because of our quality of workforce here. If you look at the Nissan plant, in 9 out of the last 10 years, they've been ranked the most productive automotive plant in North America.

Because of increased demand for Nissan cars, the company has spent \$1 billion to expand its Smyrna and Decherd plants. Production in Smyrna was up 40 percent in February. Moreover, Nissan's success has extended by spurring growth of a number of companies that in turn supply the plant. There are now more than 900 suppliers providing 140,000 jobs in the State.

The Nashville Business Journal reports that based on its success in manufacturing, Rutherford County is now branching out to attract more white-collar jobs.

Nissan is just one success of how insourcing has led to job growth. Over 400 overseas companies have U.S. subsidiaries that are employing and creating jobs just in my home State of Tennessee.

The Swedish company Electrolux, previously known as Frigidaire, has a Springfield operation that employs 2,900 workers. If one looks at the size of these companies and the range, they will see there is a broad spectrum. In Australia, a corrugated box company operates a small outpost in Humboldt; a Netherlands food preparation company has an office in Chattanooga that employs 175 called Bunge Foods.

Insourcing has, indeed, brought good jobs and good wages to Tennessee. Over 157,000 jobs in Tennessee are the result of insourcing. That is the flip side of outsourcing. U.S. subsidiaries support nearly 7 percent of Tennessee's private sector workforce.

One might ask why do companies come to the United States of America, come to Tennessee, to create jobs and manufacture their products? Because company after company has found that insourcing is a boon to their bottom line. In turn, Tennessee workers get more and pay less for their products and the services they purchase.

There is a second aspect to this whole discussion of world trade that has gotten overlooked in the debate, and that is the growth of American exports. Again, Tennessee has been a major beneficiary of the opening of foreign markets.

In 2002, Tennessee exported more than \$11.6 billion worth of goods, up nearly 26 percent from 1997. Tennessee exports support 232,000 local jobs, nearly one-tenth the State's total labor force, and over the last 5 years the average Tennessean exporter increased

sales by nearly 16 percent, selling over \$2 million in goods each year to foreign consumers.

Even more notably, export-supporting jobs paid 13 to 18 percent more on average than nonexport jobs. Our focus should be to expand economic growth and promote higher wages, not to impose sanctions and restrictions on America's job creators.

Listen to the words of Dyer County farmer Jim Moody. He tells a local Memphis paper: We've got to have exports to survive and do well.

Farmer Moody is right, and it is not just his farm that benefits from increasing exports. It is every American who gets a good job, who gets a higher wage, and every American consumer who is thereby able to stretch their dollar a little bit further, sometimes a whole lot further.

As we have all seen, especially recently in the last 6 months, our economy over the last measured 6 months is growing faster than it has in the last 20 years. America has a dynamic economy. It is true that as this economy, because of its dynamism, because of its flexibility, because of its ability to adapt, expands it at times has to shift resources, thereby resulting in dislocations. Hopefully, the dislocations are temporary. That is why it is so important for us to focus on workforce development and training.

There is no question that in these dislocations workers are hurt, those who are dislocated for a period of time, but our responsibility in Government, on the Senate floor, is to respond and support them, and support them with programs of retraining, education, and of allowing these workers to adapt to this new environment.

Workers who are dislocated need to be trained to find a new job but also to work at that new job. Luckily, there are a whole range of public and private sector programs that are available. According to the Government Accounting Office, there are 44 federally funded programs today that provide employment and training services. In 2002, Congress spent more than \$12 billion on employment and training activities, aiding 30 million Americans with a whole range of services such as job search assistance, employment counseling, basic adult literacy, vocational training. The list goes on.

The Trade Adjustment Assistance Act was expanded in 2002 to provide even more generous assistance for workers who lose their jobs because of import competition or because of shift of production to another country.

Similarly, Congress has invested over \$27 billion in training, under the Workforce Investment Act. That act went into effect in 2000, and it is over \$27 billion since that point in time. Its hallmark is the one-stop career center, and that provides job seekers with a single location to access a whole host of resources, including unemployment insurance, job market information, job training, and job search assistance.

We reauthorized the bill last year with strong bipartisan support in this body, the Senate. But, unfortunately, the Senate Democrats have blocked this bill from going to conference. Again, we passed it—I think it was even unanimous—in the Senate, and the House has passed such a bill. But right now we are being blocked from going to conference. As a result, they are holding up a vital and much needed improvement to the program that spends more than \$5 billion a year on job training and other valuable assistance.

People say they want to help workers. But by blocking us going to conference on these bills, that, again, passed the House and the Senate, it is more just talk where we need to deliver that action. That is what the American people want. That is what they need. It is what they deserve. So again I appeal to the other side of the aisle, please let us go to conference on this important bill for the good of the American people.

We need to help workers find good-paying jobs, to retrain them if they need it, to get the support they need, to get them back on their feet. Every American who needs a job should be able to get a job. We should be willing to work hard together to expand the economy and to tackle whatever structural problems exist that hinder job creation.

You have seen numerous attempts on the floor of the Senate, most recently a couple of days ago, that are aimed at controlling things such as litigation, unnecessary litigation costs that do, in effect, cripple economies, both at the macro and the micro level. It is estimated that frivolous lawsuits in this country today are costing the economy \$200 billion a year. If you assume a salary of, say, \$50,000 a year, that is the equivalent of 4 million jobs caused by frivolous lawsuits—4 million jobs that could lower the unemployment rate.

We see the effects of frivolous lawsuits most dramatically in my own profession. You see it across the board, and we debated it again on the floor yesterday, and we were unsuccessful, with a filibuster of that particular legislation. But we talked a lot about the issues in terms of the impact on people—expectant mothers, in terms of their access to obstetricians. We looked at it in terms of trauma units and emergency rooms, where specialists, high-risk specialists are simply saying they can't afford the malpractice insurance that is being charged to them and therefore are not going to take trauma anymore, and not going to work in emergency rooms anymore because they simply cannot afford that insurance. That ends up affecting the health care of all of us—all of us who might need that emergency room tonight or their trauma center tomorrow or that mom or expectant mom who needs an obstetrician.

We find doctors who are moving. We find doctors in Pennsylvania moving

out to California and moving down South because of medical liability. We find doctors leaving their local communities. We find doctors, in fact, even retiring from medicine.

A recent study by a University of Nevada Medical School professor found that 42 percent of obstetricians are planning to move their practices out of southern Nevada. And if they do, Las Vegas will have 78 obstetricians to deliver 23,000 babies each year. So how many babies will get medical care and how many babies will not get medical care if that is to occur?

These are the real-life consequences of surreal courtroom dramas that take place. It is the reality of today. That is why, on this particular issue—although it was filibustered yesterday and was filibustered about 2 months ago and was filibustered back in July—we are going to continue to bring it back because it is reality today. It is affecting people's lives.

The Senator from Delaware was just on the floor talking about the out-of-control asbestos lawsuits. There, once again, you see effects that are very similar in that they are severe and the people who most need help no longer are getting that help. The approximately 600,000 claims that have been filed have already cost \$54 billion in litigation costs, in judgments, in settlements.

Over 70 companies so far have declared bankruptcy under the crush of asbestos lawsuits. It is a problem that is bad. It has gotten worse in recent years. In the very recent years it has even gotten worse in terms of the bankruptcies, in terms of the money not reaching the victims themselves or even the potential victims but being siphoned off by frivolous suits by people who may be a little less scrupulous than any of us would like.

More than a third of the bankruptcies have taken place in the last 3 years. In other words, it is getting worse and worse. These are huge companies: Johns Manville, Owens Corning, US Gypsum, WR Grace; over 90 percent of American industries are in some way affected. Even companies that have little or no direct connection to asbestos are now being targeted for legal annihilation. Asbestos-related bankruptcies have already cost more than 60,000 jobs.

It is a broken system. The reason we plan in the future bringing it to the floor—I introduced the bill with Chairman HATCH last night—is that we must make progress. I believe we have the responsibility to address this unfair system that is hurting the American people. I know we have the power to do it. Now we just need to show that we have the will.

What started out as a quest for justice in the courts has, unfortunately, evolved into a wild litigation lottery, but it is something we can fix and I believe we will fix. I will have to say in the lottery today—this out-of-control lottery that has now become the sort

of system itself—there is only one winner, and that is plaintiffs' trial lawyers. It is not the victim or the person who is potentially hurt. People who are hurt by the negligence of others deserve justice. But so do people who are hurt by a system that is driving doctors out of the practice of medicine, that is driving companies out of business, and driving jobs out of the economy.

Every day we encourage America's job creators to grow and expand and to compete in this world market. Yet at the same time we are burdening them with unnecessary, and I would argue unfair, litigation practices that ultimately amount to a hefty tax, which makes them less competitive in the world marketplace.

In the manufacturing sector we have spent so much time on the FSC/ETI bill and the JOBS bill, talking about them, saying we must address them. It is reported that excessive regulations have added 22.4 percent to the cost of doing business.

In closing, if we want American companies to be competitive, which we all do, if we want them to be strong, if we want them to be vital, if we want them to grow, if we want them to create jobs, we have an obligation, too, and we need to make the system fair.

We can't ask these companies to run this great race to prosperity and then bind them up at the same time in miles and miles of redtape and unnecessary, frivolous lawsuits.

America's entrepreneurs are smart, they are dynamic, they are productive, they are highly competitive. And so are America's workers. We need to pursue policies that allow us both to maximize their potential, and also their prosperity potential. We need to pursue policies that, indeed, keep America moving forward.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

MR. ALEXANDER. Mr. President, I simply want to congratulate the majority leader on a speech filled with a lot of common sense. I would like to hear more of that these days and will just take 3 or 4 minutes to go back over what I heard and emphasize it.

On the first point, all the talk about jobs comes down to jobs training. We know in this country, and we have known it for years, that our economy is characterized by losing jobs and gaining jobs.

I remember 25 years ago during my first year as Governor; I went down to Memphis to try to persuade the International Harvester plant not to close. I got my picture in the paper and pats on my back. I went back to Nashville. The next day they closed.

I realized if all I was doing was going around having my picture made in front of plants that closed I wouldn't be much of a Governor.

The more I study, I realize we literally will lose 6 or 7 percent of our jobs every year in Tennessee and in

this country. The key to success is whether we replace them with better jobs. The key to that is whether we educate American men and women who are in one job to get a better job. That is painful. That is hard. That is not easy. But that is the truth.

The President's proposal about community colleges and the workforce bill, which is being held up, are good antidotes to that.

Second, on the majority leader's comments on insourcing, he is exactly right about that. We don't want to say: Nissan, go home from Smyrna, TN; Toyota, don't build that plant in San Antonio; Honda, go home from Ohio.

In our State alone, as was pointed out, over the last 20 years the coming of the auto industry to Tennessee has raised our family income from 80 percent of the national average to 100 percent of the national average. It has been led by foreign companies. If they can't come here, we can't go there. This is a two-way world.

The last thing the majority leader said is exactly right. We should learn our lesson in the way we are insourcing. If you go to Europe, you hear a lot of people talking about outsourcing there. They are outsourcing brains to the United States because they are coming to our universities. We have created an environment in which we can grow the best universities in the world, and we have done it. We can create the same environment in the United States for the best jobs in the world.

We can do that by passing a lot of legislation that is being held up here by the other side: legislation to reduce the cost of energy, the Energy bill; legislation that would lower the corporate tax on manufacturing—that is the JOBS bill being held up; legislation that would reduce runaway lawsuits and reduce costs on business. The majority leader brought that up several times. Legislation that would solve the asbestos problem would reduce costs on business.

By reducing costs and encouraging education, we can create the same sort of environment that will insource new good jobs into America just as we have created the best universities in the world and insourcing the best brains in the world that are coming to the U.S. because they are attracted here.

I hope I hear more of that kind of commonsense language, not just from the majority leader but from more and more Senators on both sides of the aisle.

I wanted to compliment him and congratulate him for his remarks.

THE PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—S. 1637

MR. FRIST. I ask unanimous consent that the pending first-degree amendment to the motion to recommit be withdrawn; I further ask unanimous consent that the motion to recommit

be agreed to, and the substitute amendment then be agreed to and be considered as original text for the purpose of further amendment.

I further ask unanimous consent that when the Senate returns to the bill Senator HARKIN or his designee be recognized in order to offer his amendment relating to overtime.

I further ask unanimous consent that the following list of amendments that I send to the desk be the only remaining first-degree amendments to the bill; provided further that they be subject to the second degrees which are to be relevant to the amendment to which they are offered.

I finally ask unanimous consent that following the disposition of the amendments the bill be read the third time and the Senate proceed to a vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The list of the amendments is as follows:

Alexander—pollution control
 Allen—TAA Housing
 Baucus—Managers' Amendments
 Bayh—Applying anti-subsidy laws to non-market economy
 Bingaman—Medical student matching program
 Bingaman—Outsourcing
 Breaux/Feinstein—Re-patriation
 Cantwell—UI (separate vote guarantee)
 Clinton—Privacy of information
 Coleman—Customs
 Coleman—TAA
 Collins—Manufacture jobs tax credit
 Corzine—Trade barriers
 Daschle—5 relevant or relevant to the list
 Dayton—Credit for making motion picture accessible for hearing impaired
 Dorgan/Mikulski—Runaway plants/Notification
 Feingold—Buy American provisions
 Frist—5 relevant or relevant to the list
 Frist or designee—UI
 Graham (Florida)—Repeal of international title
 Graham (Florida)—Strike international manufacturing and replace with job credit
 Grassley—Family Oppt. Act
 Grassley—Managers' amendments
 Harkin/Wyden—No tax deduction for outsourcing
 Harkin—Overtime
 Hollings—Strike all international provisions
 Hutchison—Architects/Engineers
 Kennedy—Multi-Employer pensions
 Kyl—Contract Manufacturing
 Kyl—Strike energy
 Landrieu—Reservists
 Lautenberg—Foreign subsidiaries doing business with terrorist nations
 Levin—Advanced technology vehicle incentives
 Levin—Tax shelters
 McCain—20 relevant
 McConnell—3 relevant
 McConnell—Overtime
 Miller/Schumer—Green bonds
 Nickles—Corporate rate
 Nickles—Electricity depreciation
 Nickles/Kyl—Death tax
 Nickles—Family tax relief extension
 Reed—CARE (Senate passed bill) as modified
 Reid—3 relevant
 Santorum—CARE
 Santorum—Sec. 29 Coke

Schumer—China
 Specter—Cotton trust fund
 Specter—Manufacture legacy costs
 Talent—Sickle Cell
 Wyden/Coleman/Rockefeller—TAA for service & health care

MORNING BUSINESS

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

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

HONORING OUR ARMED FORCES

SGT DAVID M. MCKEEVER

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of David M. McKeever, a sergeant in the United States Army. Sergeant McKeever was killed on April 5, 2004, in Baghdad, Iraq, when his Army unit was ambushed while guarding a hospital. He had 15 days left in Iraq when he was killed. He was 25 years old.

Sergeant McKeever was assigned to the 1st Armored Division and had been recently promoted from the rank of specialist to sergeant. He was stationed at Fort Carson in Colorado Springs, CO before later moving to the Army base at Giessen, Germany in September 2002. He was one of thousands of brave American service men and women serving in Iraq who confront danger every day. Their tremendous risks and sacrifices must never be taken for granted.

His wife, Niki, grew up in Kearney, NE. Last October, Sergeant McKeever, a Buffalo, NY native, visited family in Kearney while on leave. Sergeant McKeever leaves behind his wife; son, Dylan, now 1 year old; parents, David T. and Carol of Buffalo; brother, Thomas; and four older sisters. Our thoughts and prayers are with all of them at this difficult time. America is proud of David M. McKeever's service and mourns his loss.

Sergeant McKeever will be buried in Kearney. He will be remembered as a dedicated soldier with an optimistic outlook on life.

For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Sergeant McKeever.

U.S. ARMY PFC CLESTON C. RANEY

Mr. CRAPO. Mr. President, I rise today with great sadness and tremendous gratitude to honor the life of a brave young soldier from Idaho. U.S. Army PFC Cleston C. Raney of Rupert was only 20 when, on March 31, 2004, he lost his life in Iraq. Private Raney was killed by a roadside bomb doing what he considered his duty: fighting for the freedoms we all hold dear. Today, I recognize his service and express my sincere condolences to the family and friends of this exceptional young man.

Private Raney was born in Twin Falls, ID, and attended school in

Rupert and Burley. Driven by a strong sense of purpose, he joined the Army in November of 2002 and began his military career as a combat engineer in Fort Riley, KS, in April 2003. In September 2003 he was deployed to Iraq. He served honorably until his death.

Private Raney's death was part of the deadliest day of the war for the Army's 1st Infantry Division, stationed at Fort Riley, KS. Four fellow soldiers from the same division were also killed. This fact underscores the great threats that continue to face our young men and women in the Armed forces. It is also a testament to their great bravery, commitment, and resolve. Private Raney's death was the ultimate sacrifice by a brave young America, made so that we and others around the world can live in freedom.

His family is very private and has asked that the media allow them to grieve without the glare of cameras and the insistent questioning from reporters, but they did share some thoughts publicly about Cleston and his love of life and family. He was a young man at the beginning of so many opportunities in his life. He loved his family and enjoyed participating in activities with them, particularly beating his cousin Gina at pool. He was so typical of many 20-year-old young men, and yet his sacrifice for his country is anything but typical.

Private Raney's decision to serve our country places him in my highest esteem. With gravity and sincerity, I honor him. My thoughts and prayers are with his grieving loved ones as they work to find peace in this difficult time. I know my colleagues here in Congress and many Americans throughout our country do the same.

CLOTURE VOTES ON S. 2207 AND S. 1637

Mr. LIEBERMAN. Mr. President I rise to discuss S. 2207, Pregnancy and Trauma Care Access Protection Act of 2004, and S. 1637, the Jumpstart our Business Strength (JOBS) Act. Unfortunately I did not have an opportunity to cast a cloture vote yesterday on S. 2207 due to my observance of Passover in Connecticut. The medical malpractice problem is a difficult issue and one about which I have long been concerned. We need to strike the appropriate balance so that we have a system that ensures those harmed by medical negligence are justly compensated while at the same time not set up a system that unnecessarily inflates insurance rates. I have long sought to address this issue in a fair and rational way. For instance, I authored several bipartisan and balanced reform bills with Senator MCCONNELL in the past. Unfortunately, the bills that have been before the Senate this Congress have been neither bipartisan nor balanced.

This includes the Pregnancy and Trauma Care Access Protection Act of 2004. S. 2207 goes further than necessary and than advertised, offering