

have skyrocketed over the past decade, and junk lawsuits are the primary reason doctors today spend a fortune—a fortune—on liability insurance even before they open their doors for business.

The prevalence of wasteful lawsuits is evidenced by the fact that Americans spend more on lawsuits than any other country and more than twice as much as all but one other country—not because American doctors are somehow more negligent but because our lawsuits tend to be more wasteful. In fact, according to the *New England Journal of Medicine*, 40 percent—40 percent—of liability suits in the United States are entirely without merit, and even in cases in which the plaintiff prevails, most of the compensation goes to someone other than the victim.

There should be no doubt that wasteful lawsuits are a major reason that health care costs in this country are out of control and that we should do something about it.

We have seen the good results of medical liability reforms at the State level. States that have adopted medical liability reform have witnessed premiums for medical liability insurance fall dramatically. Recent reforms in Texas, for example, helped drive down insurance premiums for doctors by more than 25 percent. These savings have allowed doctors in Texas to see more clients and increase charity care.

Here was a commonsense reform that surely everyone could agree on. Yet, just like the other commonsense reforms Republicans have proposed as a way of fixing our existing health care system, our advice was ignored.

The administration and Democratic leaders in Congress were determined from the outset to press ahead with a massive—a massive—expansion of government rather than take step-by-step reforms that the American people have been asking for all along. We have seen it in every Democratic proposal, including the recently finalized Baucus plan. In the face of indisputable evidence that medical liability reforms would lower costs, the Baucus bill offers nothing more than lip service—a sense of the Senate that “Congress should consider establishing a state demonstration program.”

Well, we already have State demonstration programs. We have them in California, we have them in Indiana, and we have them in Texas. They work, and we ought to be doing that at the Federal level.

If Democrats were serious about getting rid of junk lawsuits, I am sure they could have found room in the 1,500-page Baucus bill for it. Unfortunately, they did not.

Americans expected more than this. At the outset of this debate, everyone agreed that one of the primary reasons for reform was the need to lower health care costs, and commonsense experience and the testimony of all the experts tells us unequivocally—unequivocally—that ending junk lawsuits against doctors and hospitals would

lower costs. The question was not whether we should have included it. The only question was, Why would Democrats leave out such a commonsense reform?

Unfortunately, the answer is all too obvious. Here is how a former Democratic National Committee chairman put it recently in a candid moment. This is what he had to say. “The reason why tort reform is not in the bill is because the people who wrote it did not want to take on the trial lawyers in addition to everybody else they were taking on, and that is the plain and simple truth.”

That is Howard Dean, Dr. Howard Dean, not Senate Republicans. Howard Dean says the reason this obvious, commonsense reform was not included in the Baucus bill is that the authors of the bill did not want to face the wrath of the lawyers.

This is precisely why Americans are concerned about government-driven health care. Commonsense decisions become political decisions. And Americans do not want politics interfering with their health care. Medical liability reform should be in this bill. The fact that it is not only makes Americans more concerned about the impact government-driven health care would have on their lives and on their care.

Mr. President, 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.

Mr. REED. 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.

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, the Senate will proceed to a period of morning business for 90 minutes, 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 second half.

The Senator from Rhode Island.

EXTENSION OF UNEMPLOYMENT INSURANCE BENEFITS

Mr. REED. Mr. President, I rise again to urge my colleagues, particularly my colleagues on the Republican side, to put aside their amendments so we can move immediately and pass an extension of unemployment insurance benefits.

We are facing a crisis of employment throughout this country. We are seeing people who are exhausting their benefits. The need is now. The time is now. We must act now.

Hundreds of thousands of Americans have already exhausted their unemployment benefits, including 3,500 Rhode Islanders. Unfortunately, this number is growing every day. These people are out of work, without an employment check or paycheck, with jobs remaining scarce.

It is important to recognize how we got here. A \$236 billion Federal surplus accumulated in the 1990s under President Clinton and handed to President Bush evaporated in 2000 due to President Bush's unsound and excessive tax cuts which cost nearly \$1.8 trillion and failed to spur sustainable economic expansion and were targeted to the richest Americans, not middle-income Americans. Indeed, most working Americans actually ended up less well off as the median income for families fell by \$2,000 from the year 2000 to the year 2007. Let me say that again. In the period of the Bush administration, with the huge tax cuts which he proposed as being the key to our economic recovery and our economic progress, incomes of middle-income Americans fell, they didn't rise. Incomes of the very richest Americans rose dramatically and continue to rise.

In addition, the Bush administration praised the doctrine of inadequate supervision of our financial markets, a lack of adequate risk assessment by financial institutions throughout not only the United States but the world, and they combined that laissez-faire attitude toward regulation of Wall Street with very costly and unfunded wars in Iraq and Afghanistan. As a result of these profligate policies, President Obama inherited a \$1.3 trillion deficit upon taking office. This is on top of an unprecedented set of circumstances facing our Nation both at home and abroad—the virtual collapse of the financial markets in September, the ongoing wars in Iraq and Afghanistan. With regard to Afghanistan, the same inattention the Bush administration showed toward regulation they showed toward our efforts in Afghanistan, and today we face a crisis of the first order there.

Today, we are in a serious situation. Through decisive action, which I will credit began under President Bush last September but particularly carried out through the stimulus package, we are responding to this economic crisis. But economists of all persuasions tell us we are in a very difficult and challenging moment. Unlike the 1980s and prior economic downturns, they do not expect a traditional V-shaped recovery—a quick decline and then a fairly rapid ascent to normal economic performances. In fact, economists are predicting that job gains will not be manifest until next year. It always seems to be the situation that employment numbers lag behind other indicators,

including economic growth and availability of credit, and this lag is particularly challenging today because it means people are out of work and unfortunately may stay out of work into next summer and beyond.

There have been some signs of recovery. The last time the Dow hit 10,000 was October 2008, and we recently have seen it headed up in crossing 10,000. It is no longer in a meltdown, but we are far from a full, sustainable recovery.

Wall Street is one indication, but it is not the indication most Americans look to in terms of their own family's welfare. The most important aspect of a family's welfare is steady, dependable, rewarding employment, and that is the challenge we face today. People are concerned about jobs. Many Rhode Islanders with jobs are coping with reductions in hours and earnings, while those without jobs are tirelessly looking for work in a labor market that is worsening, and jobs simply aren't there.

We have a particularly dire situation in Rhode Island. There are 74,000 unemployed in my State. That is a big number, but it is much bigger in terms of my State of Rhode Island. We are the smallest State in the Union. With a population between 900,000, and 1 million, 74,000 unemployed people is a huge amount. It translates to 13 percent unemployment. If you look at the underemployed, if you look at those who have dropped out of the labor force, it is probably much higher. If you look at subcategories—teenagers, for example, much higher; minority communities, much higher. As a result, there is a growing frustration and too often a desperation gripping the people of Rhode Island.

A key component of stabilizing the economy is ensuring that Americans without jobs can continue to support their families, and that is at the heart of our unemployment compensation program. This compromise legislation which I helped craft along with Leader REED, Chairman BAUCUS, Senator SHAHEEN from New Hampshire, Senator DURBIN, and others, strikes a careful balance. It is completely offset. It helps unemployed workers across the country by providing all States with an additional 14 weeks of unemployment insurance benefits. It also continues the historical precedent and sound policy of recognizing that workers in the hardest hit States such as Rhode Island have even greater challenges finding work and are in the greatest need of assistance. Rhode Island and other States with unemployment rates at or above 8.5 percent would get an additional 6 weeks of benefits, for a total of 20 weeks. This provision will help more than 25 States, including South Carolina, Tennessee, and Michigan.

Unfortunately, the other side of the aisle, instead of permitting us to take up the bill quickly, is blocking legislation to extend unemployment insurance.

First they argued that they needed to see a CBO score, even though this legis-

lation has been scored by CBO and, again, it is fully offset. It is quite obvious it is fully offset.

Now my colleagues on the other side are delaying passage of this measure by offering a range of amendments that are not related to unemployment benefits. It is my understanding that the junior Senator from Nebraska is offering an amendment with respect to ACORN funding. This amendment not only has nothing to do with extending the benefits to jobless Americans, but it has already been considered on several occasions. In fact, I joined the Senator in passing his amendment to the Transportation appropriations bill just the other week.

Another of our colleagues wants to extend the \$8,000 new homeowner tax credit which costs an estimated \$16.7 billion. This is a worthy effort, but in the context of trying to get aid immediately to unemployed workers, I don't think it is the best use of our time.

It is counterintuitive to delay an extension of unemployment insurance with these types of amendments. Again, the homeowner tax credit is something I support. It is something we should do. It is something we should consider paying for also. But now is the time to deal with the most obvious crisis: people without work, running out of benefits, facing a desperate situation. They are falling behind in mortgage payments, accelerating another aspect of our problem—the crisis in foreclosures. They need this extension. Debating amendments that send messages but don't provide help for working Americans is not what we should be doing.

I wish to underscore the urgency we are facing. People are exhausting their benefits. They are receiving nothing. They still have to provide for their families. In Rhode Island, 3,500 people would benefit immediately from a Federal extension, a majority of whom have already exhausted their benefits going back, in some cases, several months. Thousands more Rhode Islanders will see their benefits end unless we act. These families need this help to stay afloat, to pay their bills, to stay in their homes. It is truly ironic that the Republican Party is delaying an extension of unemployment insurance to the middle class, yet in the past they have had no problem supporting huge tax cuts skewed toward the wealthiest Americans.

It is my hope we can work together. This is not a Rhode Island problem alone. It is not a Democratic problem or a Republican problem. I have been joined—and I wish to thank my colleague from South Carolina, LINDSEY GRAHAM, for working on this, because South Carolina is feeling the effects of this recession. Every part of this country, with very few exceptions, is feeling this problem. I again urge that we pass this measure.

In addition, we should recognize that there is one other aspect we should consider; strengthening and expanding

work-share programs, which allow employers to cut-back hours rather than lay people off if the employer maintains pension and health benefits. In turn, employees receive a proportionate unemployment insurance benefit for those hours reduced. It has been very effective in Rhode Island—averting nearly 5,000 layoffs in the first eight months of this year.

I urge immediate consideration of this extension, and I hope we can pass it this week.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor for the third time in the last couple of weeks to urge passage of the Unemployment Compensation Extension Act. This will help the almost 2 million Americans who are in danger of losing their benefits. I am proud to join Senator JACK REED, and I thank him for his leadership in trying to get this done and working out legislation that can be supported by hopefully most of the Members of this Senate. For nearly 2 weeks, we have been working to pass an extension to help struggling families across the country.

The Senate bill we have introduced is a good bill, as Senator REED has said. It extends unemployment benefits for up to 14 weeks in all 50 States and by an additional 6 weeks in States with the highest unemployment rates. The extensions are targeted: only unemployed workers who have already exhausted their benefits are eligible. That means that almost all jobless workers who use this extension will have been out of work for a year or longer. That is a very long time.

Unemployment insurance was created to provide workers with an income while they look for another job, but with unemployment almost 10 percent nationally, it has gotten harder to find work, not easier. The number of long-term unemployed—those without a job for 27 weeks or more—rose to 5.4 million in September. In my home State of New Hampshire, the number of long-term unemployed has more than tripled in the past year. So now we have reached a perfect storm with unemployment. There are more than six people for every job opening, and nearly 2 million Americans are about to run out of all benefits, the benefits they need to pay the rent, to pay their mortgage, to buy food, to pay for gas, to continue to look for a job.

The Presiding Officer and I both know that unemployment is spent on necessities and it is spent immediately. So when we extend benefits, we are not just helping the workers who have lost their jobs; we are helping small businesses that provide the goods and services unemployed workers need. In fact, economists say that dollar for dollar, extending unemployment benefits is one of the most cost-effective actions we can take to stimulate the economy.

So now, as this economy is trying to recover, as people are struggling to

find work, it makes perfect sense that we would extend unemployment benefits for those people who need them. The American people are calling for the Senate to act, but some of our Members just aren't listening, and they have held up an extension for almost 2 weeks. They don't seem to want to move forward under any circumstances. My office is getting calls every day from people in New Hampshire and across the country, and they want to know why the Senate isn't acting quickly to pass an extension. Unfortunately, some Senators seem to be holding up the process to win political points, to delay our entire legislative agenda. They are playing politics while 7,000 workers a day run out of benefits, the benefits they need to put food on the table, to pay their bills, to keep our economy going.

This is not the time to play politics. This extension will help millions of Americans. It will help Americans in Democratic States, in Republican States, in Independent States, in purple States and red States and blue States.

It is important for us to pass this extension to help those Americans to stimulate our economy by getting money back into the hands of people who will spend it immediately.

I, again, urge all those Senators who have been standing in the way to stop playing politics and to pass this critical extension.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from New Hampshire for adding to the statement of the Senator from Rhode Island about this unemployment issue. As you can tell, this is a national concern. There was a time, I say to the Senator from New Hampshire, who is one of our newer Members, this was not even debated. Whether you were talking about minimum wage or unemployment compensation, it was a bipartisan issue. We basically knew, as the Senator said, the people hurting out there are not all Democrats, not all Republicans; they are all Americans and they are from all over this country.

Unfortunately, we have now drifted into a status where even this has become a political issue. I say to my colleagues on the Republican side of the aisle who are blocking unemployment benefits for the millions of unemployed people in this country: Go out and meet some of these people.

Last Friday, I went to Pilsen, which is a section in Chicago. I went to an office called the National Able Network, where they are trying to help the unemployed find a job. I sat at the table with about 12 unemployed people around me. I wish my Republican colleagues would actually sit down and meet some of these people who are unemployed. They will learn something. These are not lazy people. These are not people who enjoy being unem-

ployed. These are people who are now desperate—desperate people.

Let me tell you about Ira. I will not use his last name. I met him. He is a 43-year-old African American. He worked at one of the biggest banks in Chicago up until 14 months ago. He was in charge of human relations. He said: My job was to place people in jobs. Now I am trying to place myself in a job. He is going to DePaul University to pick up a certification in his field in the hopes that will give him an edge to find a new job.

Ira is a father with a family and his son suffers from a serious illness. Ira has no health insurance. He lost it when he lost his job.

Corinne is another one. Corinne had been a vice president in a bank in downtown Chicago, which the Presiding Officer would know if I mentioned its name. She worked her way up, at age 61, to a good-paying job. She lost it when the bank went out of business and merged. She said: I look through all these classified ads and go on the Internet. There are not too many jobs for vice presidents at banks, and that is what I used to be. Now she says: I am willing to do whatever it takes. Corinne has no health insurance either.

I went around the table and asked people what they were up against. They said, basically, if we stop unemployment payments, if Congress does not extend it, we will turn to our savings. One lady said: I don't have any savings; I have spent it all to keep my house so I don't go into foreclosure.

That is the reality of this issue. So why are the Republicans stopping us from extending unemployment insurance benefits? Some of them oppose it. Some of them believe people who are unemployed are just plain lazy. They should sit down and talk with some of these folks. As the Senator from New Hampshire said, there are six unemployed people for every available job in America. This is not laziness. This is a reality of a recession which this President inherited.

Some others want to try to refinance and reconfigure unemployment as we know it—the unemployment benefits that are collected from all working Americans, while we are working, for the rainy-day possibility that we will lose a job someday. There is money in this fund to pay these benefits.

One of the Senators on the Republican side came to the floor last week and said: I wish to find a new way to refinance unemployment benefits. That is a great exercise and a great challenge. For goodness' sake, while you debate this issue, are you going to let hundreds of thousands of people wonder whether they will be able to keep food on the table? That is the reality.

There is a third group, honest to goodness, that believes these folks do not deserve to receive this money, that it means they will not try hard to find a job. That is fundamentally unfair. If you believe in family, family values,

and a safety net for America, unemployment insurance is absolutely critical and essential.

Mr. President, 400,000 American families have run out of unemployment insurance benefits already, and the Republicans are stopping us from bringing up the bill to extend this safety net to unemployed Americans. There are 20,000 in my State of Illinois who lost their benefits a few days ago, at the end of September. There are another 200,000 families across the country who will lose their benefits this month because the Republicans continue to stop us from extending unemployment insurance benefits.

What are they waiting for? Mr. President, 1.3 million Americans will lose their temporary assistance by the end of the year if the Republicans stop us from moving on this legislation, 50,000 families in Illinois, similar to the ones I met with last Friday.

This money is essential for these families. It is essential for the economy. The money we put in an unemployment check is going to be spent by these people instantly. They are living paycheck to paycheck and, in this case, unemployment check to unemployment check.

Never in the history of the country's unemployment insurance program have more workers been unemployed for such prolonged periods of time. That is why we are extending the benefits. Half of all jobless workers cannot find a job within the first 6 months they receive benefits. That is the highest percentage of prolonged unemployment in the history of the program.

I can tell you what this comes down to. We are either going to stand up for these people who have been victims of this recession or we are going to watch more and more Americans show up at the bread lines, show up at the soup kitchens, show up at the homeless shelters. The New York Times had an article yesterday that said 1 out of 10 Americans in homeless shelters today is a victim of foreclosure. In the Midwest, it is one out of every six.

We are pretty comfortable as Members of the Senate. Our life is not bad at all. We know our next paycheck is coming in. But what about these poor people? I say to the Republicans, it is time to wake up to reality. Don't talk about family values, rewarding work, and standing up for people when you believe in them and turn down these unemployment benefits. It is time to pass these benefits now, and the Republicans had better step aside.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleagues who have come before the Senate on this critical issue, our ability to extend unemployment insurance, and to ask our Republican colleagues not to block our efforts and to allow us to bring up this bill and do it quickly to help the families who are suffering in every one of our States.

This week we have an important opportunity and a need to address a real “kitchen table” issue for families all across this country. We have an opportunity and a responsibility to pass an extension of unemployment insurance and, in doing so, to provide a measure of financial stability to millions of Americans who have been laid off in the most difficult economic times since the Great Depression. We have the opportunity and the responsibility to provide peace of mind to families who are left without a job and nowhere else to turn and are so concerned about their future, families who, right now, as we debate our ability to bring this bill to the floor of the Senate, are having a much more agonizing debate about how to make next month’s rent or even next week’s grocery budget if their unemployment runs out.

For these families, this bill Senator BAUCUS has worked so hard on to bring to the floor helps them out. What this bill does is extend the unemployment to laid-off workers in States that have been hardest hit by job losses by 6 weeks, and it provides every single unemployed worker who has exhausted his or her benefits, regardless of the State in which they live, an additional 14 weeks of support. It makes some critical changes to help our families. It makes clear that the additional \$25 per week in benefits that Congress included in the Recovery Act does not count against someone who is seeking food stamps.

This bill could not come at a more critical time. This month, we have seen banner headlines in newspapers all across the country that make a very stark point about the tough climate our laid-off workers face today. In my home State of Washington, unemployment has now risen to 9.3 percent. That number alone does not illustrate the need to provide immediate relief. Even with the robust recovery program that has saved and created jobs throughout my State, our workers are feeling the very sharp effects of this recession.

Since this recession began in December of 2007, there have been over 145,000 jobs lost in my State. That means 1 in 20 jobs in Washington State has been lost. These unemployed workers are searching for an average of 6½ months before they find a job. While those statistics clearly point out the need for this legislation, the stories behind these statistics provide even more of a call to action—stories of single mothers who are scanning the classifieds every morning and then having to search through coupons each night to afford to feed their family dinner; stories of skilled workers, with many years of education and the debt that comes with that, facing stacks of unpaid bills; stories such as those that over the past few weeks, as unemployment benefits have become exhausted for millions of workers, have poured into my Senate offices, stories such as the one of Wane Ryan of Bonney Lake, WA, who shared it with me.

Mr. Ryan says he is a carpenter, with 23 years of experience, who has been looking for work for more than a year. In his letter, Mr. RYAN tells of recently selling all his personal belongings, relying on food banks, and being on the verge of financial ruin, through no fault of his own. He wrote me to ask for another emergency unemployment extension just to keep his head above water.

There is Kristina Cruz, from Seattle, who received her last unemployment check just a few weeks ago. Kristina told me she has been unemployed now for 20 months, after spending 10 years in human resources. She talks of going above and beyond in her job search, a skill she picked up as her career. But still, she said, interviews have been few and far between. She told me she is stressed out and panicked. She says she is not interested in living off the government long term, but in the midst of this economic crisis, she believes we need to pass this extension.

There is the story of Angela Slot and her family from Washougal, WA. Angela’s husband designs kitchens and has been out of work since last May. He has returned to school, put out over 1,500 applications in different fields in different States and for every different type of job. Yet today he remains without work.

The Slot family has taken out loans, used all their savings and unemployment payments just to stay in their home and provide for their three children. Without this extension, the Slot family calculates they will not have their home by the end of this year.

For these families and millions more like them, the question that haunts them every single day is what will we do if this support runs out? Where will we go when our savings are exhausted, when the credit card can no longer make ends meet, when the bank will not wait for a mortgage payment any longer? To whom do we turn?

In a time of national crisis, it is our job to make sure we are answering those questions. We can do that by providing a bridge to financial stability for families today. By the end of this year, my State projects that nearly 18,000 people will be in need of these benefits just to keep them afloat.

I, personally, know how important it is to have the government in your corner during financial times. When I was young, my dad had to stop working. He was diagnosed with multiple sclerosis. That left my mom at home to support and raise seven kids, as she also took care of my dad. It was a very difficult time for my family. We made a lot of sacrifices to get by. But you know what. Our country was there for us. Through food stamps, VA benefits for my dad, student loans, my family made it through those tough times, and I am here today. That is why I believe strongly that we need to be there now for the millions of Americans who are struggling today.

We cannot sit on the sidelines. Doing so would only compound the problems

we already face—more families pushed into bankruptcy, more families who will have foreclosures happen to them, more people will lose their health care, and less progress will be made on this important road to financial recovery. We cannot sit by as working families are pushed to the brink by a financial crisis they did not create but for which they are still paying.

Angela Slot ended her letter to me by saying she felt families such as hers, families who are just scraping by, are “falling off the radar.” This unemployment extension bill is our opportunity to prove to her and many others that is not the case. We have not forgotten them. We know they are out there.

I urge our colleagues to listen to the voices of their constituents. I ask our Republican colleagues not to block this effort, not to say no to these families, not to turn a blind eye but to join us in passing an unemployment extension that makes sure America’s laid-off workers are not ignored.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I speak in support of extending unemployment benefits to provide much needed relief to jobless workers.

Nearly 2 million Americans, including more than 13,000 Minnesotans, will exhaust their unemployment benefits by the end of the year. We are facing record high unemployment in this country. The number of Americans out of work has almost doubled over the past 2 years. People who want to get back to work are still facing a depressed job market, where there are six unemployed workers for every job opening. It is no wonder that I have received so many letters from my constituents, scores of people going to 60 job interviews, sending in hundreds of resumes.

I thank Senator SHAHEEN for her leadership here; Senator DURBIN, who just spoke; the majority leader, Senator BAUCUS, Senator DODD, Senator JACK REED, and my other distinguished colleagues in working with me to provide this much needed relief. I was so pleased that we were able to put together a proposal that included all 50 States because I simply could not explain to the people of my State that while people in Wisconsin who are unemployed would get extended unemployment benefits, those in Minnesota would not. Our States share a border, but when people suffer in one State, they also suffer in the other.

This is a fiscally responsible solution that is fair and will provide for a State such as Minnesota, where unemployment is still high but below 8.5 percent, which was the mark that was used in the House bill. Unemployment is unemployment no matter where you live. Minnesotans without jobs do not suffer any less because our State’s unemployment rate is slightly lower.

Several constituents wrote to me earlier, when Minnesota’s unemployment rate was around 8 percent. At

that time, as I mentioned, the proposal from the House would have cut things off at 8.5 percent. After getting these letters and talking to people in my State, I decided that was not good enough.

In one letter, Marilyn, from St. Paul, wrote:

Unemployment may be 8 percent for the State of Minnesota, but in our house it's 100 percent.

As Marilyn notes, unemployment is a national issue that does not simply begin or stop at State lines. Being unemployed in North Dakota, South Dakota, Iowa, Wisconsin, or any other State does not hurt any more or less than being unemployed in Minnesota. Deep, persistent unemployment hurts no matter where you happen to live, and the solution my colleagues and I crafted strikes the right balance in recognizing that fact.

Mariann from White Bear Lake, MN, wrote:

The tremendous stress of trying to search for an affordable job and raise two children on my own is overwhelming in itself. I cannot help that I live in one of the States with lower than 8.5 percent unemployment.

And Brian from Anoka wrote:

In fairness, what is good for one unemployed person should be good for all unemployed persons everywhere.

As the Senator from Illinois knows, sometimes we get letters that are all the same, from groups that organize, but these were individual letters from citizens out there who are hurting and who actually looked at the paper, heard the news, and decided: Wait a minute, the House bill, at 8.5 percent, does not help me. I am going to be left with nothing.

Simply put, this legislation in the Senate provides relief in a fair way to all those in need. This legislation helps jobless workers who desperately need relief. This legislation does not add to the deficit. This legislation is the right thing to do. Despite our best efforts, we have not been able to convince some of our colleagues on the other side of the aisle to agree that struggling middle-class Americans deserve an up-or-down vote on whether their unemployment benefits should be extended.

While my colleagues can perhaps afford to wait in their States—maybe the unemployed people in their States aren't writing them these letters—the more than 13,000 Minnesotans who will exhaust their unemployment benefits by the end of December cannot afford to wait. They have already waited too long. The time to act is now. This is the decent thing to do, and in a stretched economy, it is the right thing to do.

I know people are happy that we have started to see some good numbers on Wall Street. We need that. Maybe it will help us with our 401(k)s. But what do you say to Barbara, from Mahtomedi, MN, who understands Wall Street is doing well, but writes this:

My husband has been looking for a job since March and without unemployment to

help us out, I don't know what will happen. All four of us have been looking for steady employment for months. We drive old cars, bought a house within our means that we have been fixing up slowly by ourselves the past 22 years, buy everything used or on sale. Please don't let Minnesotans get left out in the cold—oh yes, don't forget about the heating bills coming in the next months. We need jobs and extending benefits will help us survive.

And what would my colleagues who are now stopping this bill from coming to the floor say to Carolyn of Woodbury, MN, who writes:

As of the early part of November of this year, I will have completed all my unemployment benefits. I have been looking for work daily since May of 2008 and have had several interviews but no offers yet. I like working, I am looking for work, I want to work and I am able to work but have not gotten any offers yet. Is there any chance that unemployment benefits will be extended? My unemployment is my only source of income and if I am not able to get that and don't have a job what will happen to a person like myself?

The time for partisanship is over. This is about people's lives and their ability to survive and to continue to provide for their families. I am very glad this Senate recognized that an unemployed person in Minnesota needs as much help as an unemployed person in Wisconsin, but now it is time to get the bill passed.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

HEALTH CARE REFORM

Mr. MCCAIN. Mr. President, last year, the President of the United States, during his campaign, stated that there was going to be a change in the way we do business here in our Nation's Capitol, and that when it comes time for a conference on a bill that the American people would be brought in; that C-SPAN cameras would be there as Republicans and Democrats in a room that was open to the American public; that they would sit down and negotiate and come forward with results from a process that the American people would all be aware of. I have the direct quote here.

So what is going on today? Here is the bill from the HELP Committee. This is only some 600 pages. And over here we have the Finance Committee bill, some 1,500 pages. And not far from here—very close to here—there is a handful of Democrats and administration people behind closed doors who are reconciling these two bills. Sooner or later they will come out of that room—fortunately no longer smoke filled, but certainly with no access or information available for the American people—with perhaps a 2,100-page bill which has yet to be on the Internet so that the American people can see it. A remarkable process. No one should wonder then about the cynicism that is out there in America about the way we do business in our Nation's Capitol.

Less than 6 months ago, the President stood before a receptive audience

and he told the members of the American Medical Association, and I quote him:

Now, I recognize that it will be hard to make some of these changes if doctors feel like they're constantly looking over their shoulders for fear of lawsuits. Now I understand some doctors may feel the need to order more tests and treatments to avoid being legally vulnerable. That's a real issue. I do think we need to explore a range of ideas about how to put patient safety first, how to let doctors focus on practicing medicine. I want to work with the AMA so we can scale back the excessive defensive medicine that reinforces our current system. So this is going to be a priority for me.

That is a quote from the President back when he spoke to the AMA less than 6 months ago. Yet in this 600-page document there is not a mention of medical malpractice reform. In this 1,500-page document there are 20 pages of sense-of-the-Senate language. In case there is anyone who doesn't know what sense of the Senate means, it means exactly that. It does not mean law.

So the President of the United States talks to the AMA and tells them that we are going to bring about change. We are going to stop this practice of defensive medicine, which by the way, the estimates say account for as much as \$200 billion a year added to health care expenses. But what have we got here, and here, and going on behind closed doors? Does anybody believe the Democrats are going to come out with anything that is meaningful on medical malpractice reform? No. But what they will do is to say that we are going to try some demonstration projects. We are going to try some demonstrations.

In fact, on September 9, 2009, before a joint session of Congress, the President went a step further and stated:

Now, finally, many in this Chamber—particularly on the Republican side of the aisle—have long insisted that reforming our medical malpractice laws can help bring down the cost of health care. Now, I don't believe malpractice reform is a silver bullet, but . . . defensive medicine may be contributing to unnecessary costs. I know that the Bush administration considered authorizing demonstration projects in individual States to test these ideas.

And by the way, the reason why they did that was because they couldn't get meaningful malpractice reform through the Congress. Continuing the quote from the President:

I think it's a good idea, and I'm directing my Secretary of Health and Human Services to move forward on this initiative today.

Shortly thereafter, the President did issue a memo on medical malpractice reform where he stated:

We should explore medical liability reform as one way to improve the quality of care and patient-safety practices and to reduce defensive medicine.

So we all read with great interest about the new initiative. The memo went on to state:

We must foster better communication between doctors and their patients. We must ensure that patients are compensated in a fair and timely manner for medical injuries,