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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, our Father, thank You for eyes to see and hearts to feel the wonders of Your world. Fill our Senators today with fresh faith in Your power to protect and sustain our Nation and world. May they face challenges with the triumphant confidence that no weapon that has been formed can prevail against Your eternal purpose. Lord, keep them calm in temper, clear in mind, sound in heart, and strong in faith. Enable them to perform faithfully and well what You require, even to do justly, to love mercy, and to walk humbly with You. When this day's work is done, give them refreshment of mind, spirit, and body.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 29, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, this morning, following the remarks of the two leaders, the Senate will resume consideration of the Energy and Water appropriations bill. Cloture motions were filed last night. As a result, there is a 1 p.m. filing deadline for first-degree amendments. Rollcall votes are possible throughout the day. I would hope that people who want to offer amendments will do so, so we can complete this legislation. There is no reason we should not finish it today.

As I announced last night, I am going to turn to the Agriculture appropriations bill as soon as we complete the action on the bill that is now on the floor of the Senate.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE WEEK VIII, DAY III

Mr. McCONNELL. Mr. President, throughout the debate on health care reform, the administration has made a point of asking various stakeholders to come together and do their part: Doctors and hospitals are being asked to

find significant savings, seniors are being asked to make major sacrifices, and so are the States. Every week, it seems, the White House hosts an event aimed at showcasing some sacrifice being made by one group or another—every group, that is, except personal injury lawyers.

It is a glaring omission, since everyone knows that the constant threat of lawsuits is one of the reasons health care premiums for families have skyrocketed more than 100 percent over the past decade and the primary reason many doctors today spend a literal fortune on malpractice insurance even before they open their doors for business. To take just one example, neurosurgeons in Miami can expect to spend more on malpractice insurance every single year than many families in Miami can expect to spend on a new home.

This is a very serious problem, and everyone knows it. Yet we do not hear a word about it—not a word—from any of the Democratic-led committees in Congress that are working on reform. It is not because the administration has not raised the issue. Last month, the President himself acknowledged the widespread use of so-called defensive medicine or the practice of prescribing drugs or tests that are not really needed just to protect oneself from the threat of a lawsuit. During the same speech, the President said we need to explore a whole range of ideas about how to scale back defensive medicine. Well, Democrats in Congress must not have been paying much attention to that part of the speech because I have not heard a single word on this issue from any Democrat since—not one. One exception was the recent suggestion by some in the administration that doctors are performing unnecessary surgeries just to make an extra buck. I think a better explanation is the one the President gave last month when he said doctors often

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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