

he says: Let's do nothing. Let's repeat the same mistakes of the past and dig ourselves deeper and deeper into this hole the Obama administration inherited.

That is not responsible and is not legislating. That approach does nothing to help the millions of Americans who live just one accident, one illness, or one pink slip away from losing their health coverage. That posture certainly does nothing to help the millions of Americans who have no health insurance to begin with. If we just get out of the way, as the Senator suggests, health care costs will get higher and more people who have health care this year will not be able to say the same next year. Today, 14,000 people in America will lose their health insurance. Yesterday, 14,000 people already lost their health insurance. Tomorrow, 14,000 people will lose their health insurance. No weekends off, no holidays—14,000, 7 days a week.

If we let the market work its will, as the Senator suggests, less than a decade from now you will have to spend almost half of the family's income on health care. That is not sustainable. If we sit this one out, as the Senator suggests, more parents will decide they can't take their children to the doctor when they are hurt or sick because it simply costs too much to pay the medical bills, and more small businesses will lay off more of their workers because it simply costs too much to give them health coverage. If, as the Senator suggests, we do nothing, we will keep our economy from recovering, keep businesses from growing, and keep families from getting the doctor visits and medicine they need to stay healthy. Allowing the market to work is code for letting the greedy insurance companies, companies that care more about profits than people, continue to deny coverage because one has a pre-existing condition or they have gotten a little too old or maybe they have even changed jobs.

We have already seen what happens when we do nothing. Over the past 8 years of inaction, the costs of health care rose to record levels and the number of Americans who cannot afford insurance did the same. Right now in Nevada, far more than 100,000 people already lack coverage, the coverage they need to have adequate care when they get sick or hurt. We can't afford to treat these people in emergency rooms, which is where the uninsured go for treatment. That is the only place they can go in many instances. If we don't act, many more Nevadans will lose their coverage and many around America will also lose their coverage.

There are a lot of good ideas about how to fix the health care system in America. At this critical time for our economy's health and our citizens' health, it is important we exhaustively determine what those changes should be. The question is not whether we should explore any of them; our job is to determine which of these paths will

lead us back to recovery, prosperity, and good health.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE WEEK VII, DAY II

Mr. McCONNELL. Mr. President, yesterday, the President, to his credit, acknowledged what the American people have been telling us for weeks: that the Democratic health care proposals currently making their way through Congress aren't where they need to be. I couldn't agree with him more.

All of us recognize the need for reform. That is not in question. And that is why day after day, I have come to the floor of the Senate and proposed concrete, commonsense reforms that all of us can agree on, reforms that would increase access, decrease costs, and guarantee that no one in this country would be forced to give up the care they currently have.

As I have said repeatedly, we should reform malpractice laws; encourage wellness and prevention programs that encourage healthier lifestyles like quitting smoking and fighting obesity; promote more competition in the private insurance market; and address the needs of small businesses in a way that doesn't kill jobs in the middle of a recession.

Unfortunately, the administration seems bent on its own proposal for a government-driven plan that costs trillions of dollars and asks small businesses and seniors to pay for it.

Once this plan is implemented, the American people could be left with a system that none of them would recognize and that most of them would regret—a system in which health care is denied, delayed, and rationed, a system which delivers worse care than Americans currently receive at an even higher cost. Americans want reform. But they don't want this. And they don't want either of the two proposals we have seen so far.

Both proposals could lead to a government takeover of health care, increase long-term health care costs, and cost trillions of dollars—on the backs of seniors, small businesses, and by adding hundreds of billions of dollars to the already-staggering national debt.

The President has said that both of these bills need work. And in my view, Democrats in Congress should listen to the President and come up with something Americans really want. This may take time. But Americans would rather that we get these reforms right than just get them written. When it comes to health care, Americans are sending a clear message: slow down and get it right. It is a message many of us have been delivering for weeks, and it is a message one of the Senate's top Demo-

crats in the health care debate seemed to echo yesterday when he said that the critical test isn't whether we meet a certain deadline but whether we get this reform right, whether it stands the test of history.

We know Americans reject an artificial deadline on closing Guantanamo without a plan on what to do to keep us safe from the detainees who are housed there. And they regret accepting a rushed and artificial deadline on the stimulus. Health care is simply too important to rush, just to meet a date someone picked out of the air.

The arguments we have heard in favor of rushing just don't square with reality.

The administration and some in Congress say that we have to pass these bills right away because rising health care costs are an imminent threat to the economy. Yet the Democrat plans we have seen so far would make the problem worse. According to the independent Congressional Budget Office, the Democrat proposals would very likely increase overall health care spending, not reduce it. There goes that argument.

Others say we need to pass these bills right away because people can't live under the current system a day longer. Yet many of the proposals we have seen wouldn't even go into effect for at least another four years. There goes that argument.

Some say that under the proposals we have seen Americans won't lose the coverage they have. Yet independent studies show that millions would be pushed off plans they currently have and like. There goes that argument too.

The only possible explanation for passing a bill in 2 weeks that could hand over one-sixth of the U.S. economy to the government is that the longer this plan sits out in the open, the more Americans oppose it. Already, Americans are shocked at the idea of funding a government takeover of health care on the backs of seniors through cuts to Medicare or through taxes on small businesses in the middle of a recession. They are shocked to hear that the final proposal could force taxpayers to fund abortions. They have serious concerns about adding to the national debt. And they are worried about the prospect of being forced off the plans they currently have. These concerns are serious. They should be taken seriously, not brushed aside in the service of some artificial deadline.

No one in Washington wants to block health care reform. But many of us do want to take the time that is needed to deliver the kinds of reform that Americans actually want, not a so-called reform that leads to a government takeover of health care that leaves people paying more for worse care than they currently have.

The President was right. The proposals we have seen are not where they need to be—not even close. But that does not mean reform is not possible,

that reform is not coming, or that anyone does not want reform. What it does mean is we need to take the time to get the health care reforms the American people want. That is what they expect, and we should do no less.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1390, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1390) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Thune amendment No. 1618, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

Brownback amendment No. 1597, to express the sense of the Senate that the Secretary of State should redesignate North Korea as a state sponsor of terrorism.

AMENDMENT NO. 1618

The ACTING PRESIDENT pro tempore. The time until noon will be equally divided and controlled between the Senator from South Dakota, Mr. THUNE, and the Senator from Illinois, Mr. DURBIN, or their designees on amendment No. 1618, offered by the Senator from South Dakota.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, amendment No. 1618 is a very simple amendment. It is tailored to allow individuals to protect themselves while at the same time protecting States rights.

My amendment would allow an individual to carry a concealed firearm across State lines if they either have a valid permit or if, under their State of residence, they are legally entitled to do so.

My amendment does not create a national concealed carry permit system or standard. My amendment does not allow individuals to conceal and carry within States that do not allow their own citizens to do so. My amendment does not allow citizens to circumvent their home State's concealed carry permit laws.

If an individual is currently prohibited from possessing a firearm under Federal law, my amendment would continue to prohibit them from doing so. When an individual with a valid

conceal and carry permit from their home State travels to another State that also allows their citizens to conceal and carry, the visitor must comply with the restrictions of the State they are in.

This carefully tailored amendment will ensure that a State's border is not a limit to an individual's fundamental right and will allow law-abiding individuals to travel, without complication, throughout the 48 States that currently permit some form of conceal and carry.

Law-abiding individuals have the right to self-defense, especially because the Supreme Court has consistently found that police have no constitutional obligation to protect individuals from other individuals.

The Seventh Circuit explained this most simply in their 1982 *Bowers v. DeVito* decision where they said:

[T]here is no Constitutional right to be protected by the state against being murdered by criminals or madmen.

Responsible gun ownership by law-abiding individuals, however, provides a constitutional means by which individuals may do so, and responsible conceal and carry holders have repeatedly proven they are effective in protecting themselves and those around them.

Reliable, empirical research shows that States with concealed carry laws enjoy significantly lower crime and violent crime rates than those States that do not.

For example, for every year a State has a concealed carry law, the murder rate declines by 3 percent, rape by 2 percent, and robberies by over 2 percent.

Additionally, research shows that "minorities and women tend to be the ones with the most to gain from being allowed to protect themselves."

The benefits of conceal and carry extend to more than just the individuals who actually carry the firearms. Since criminals are unable to tell who is and who is not carrying a firearm just by looking at a potential victim, they are less likely to commit a crime when they fear they may come in direct contact with an individual who is armed.

This deterrent is so strong that a Department of Justice study found that 40 percent of felons had not committed crimes because they feared the prospective victims were armed. Additionally, research shows that when unrestricted conceal and carry laws are passed, not only does it benefit those who are armed, but it also benefits others around them such as children. In addition to the empirical evidence, there are anecdotal stories as well.

A truckdriver from Onida, SD—a long-haul trucker—10 years ago, on a trip to Atlanta, stopped at a truck stop in Georgia. He shared this story recently. It is a more dated story. But a strange man suddenly jumped on the hood of his truck, showed a gun, and started demanding all the cash this truckdriver had. Working on instinct, he pulled out the firearm he always

kept in his cab and showed the gun to the perpetrator, who jumped off the hood and ran away as soon as he saw it.

That story, while one that may not make it into the crime statistics or the newspapers, is the type of story that demonstrates how my amendment will help individuals—law-abiding individuals, who travel from State to State either for work or for pleasure.

So it is very straightforward. The amendment, as I said, simply allows those who have concealed carry permits in their State of residence to be able to carry firearms across State lines, respectful of the laws that pertain in each of the individual States.

So it is not, as some have suggested, a preemption of State laws. There are a couple States where their individuals are precluded from having concealed carry, and in those States this amendment would not apply. Obviously, we are, as I said before, very respectful of States rights and State laws that have been enacted with regard to this particular issue.

But I might say, too, in my State of South Dakota, we have a national reciprocity understanding, national reciprocity concealed carry understanding, with all the other States in the country. So of the other 47 States where concealed carry is allowed, any of the residents of those States who have concealed carry permits can carry in the State of South Dakota. There are 10 other States that also fit into that category.

I believe if we check the records and look at the data, it is pretty clear the States that have enacted national concealed carry reciprocity agreements have not seen, as has been suggested by opponents of this amendment, any increase in crime rates.

I believe this is something that is consistent with the constitutional right that citizens in this country have to keep and bear firearms. We have, as I said, 48 States currently today that have some form of concealed carry law that allows their individuals in their States, residents of their States, to carry. This simply extends that constitutional right across State lines, recognizing that the right to defend oneself and the right to exercise that basic second amendment constitutional right does not end at State borders or State lines.

So, Mr. President, I hope my colleagues in the Senate will adopt this amendment. I think it is a common-sense approach to allowing more people across this country to have the opportunity to protect themselves when they are threatened. As I said before, the statistics bear out the fact that when that is the case, when people have that opportunity—States that have enacted concealed carry laws have seen actually crime rates, particularly violent crime rates, go down.

Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.