

friend and colleague from South Carolina. Once again he makes a great deal of sense. I look forward to being supportive of his effort.

My colleague from Connecticut, Senator LIEBERMAN, is doing a remarkably fine job managing a very complicated piece of legislation. He deserves great deal of credit for taking on that responsibility. I have not had a chance to speak on the bill as of yet, but I don't want to miss the opportunity of congratulating him and thanking him, and all of our colleagues, for the work he has done and to thank Senator HOLINGS for his tireless efforts on related matters.

The PRESIDING OFFICER. The Senator from Nevada.

MORNING BUSINESS

Mr. REID. I ask unanimous consent we proceed for 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.

Mr. REID. If the managers will come back and want to yield more, we will be happy to consent to that.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

MENTAL ILLNESS PARITY

Mr. WELLSTONE. Mr. President, the Washington Post on September 9 had an editorial titled "Equity for Mental Illness." I ask unanimous consent this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, September 9, 2002]

EQUITY FOR MENTAL ILLNESS

Last spring President Bush announced a new commitment to improving mental health care for Americans. He cited unfair limits on treatment as one major obstacle to effective care and pledged to seek legislation by year's end to require that insurance plans treat mental illnesses in the same way they treat other medical ailments. Now time is getting short and the calendar is crowded, but Congress still should approve a parity bill, and Mr. Bush, recalling his pledge, should help make it happen.

This isn't the position we took when we last examined the subject, last year, and many of the issues that troubled us then haven't disappeared. Parity legislation is not a panacea. It won't help the uninsured. There's a risk that, by raising costs, it could cause some employers to weaken or abandon existing coverage or charge employees more for benefits. Congress tends to be much more interested in providing benefits than in dealing with their costs. That's especially true for a mandate like this, in which the costs would be borne almost entirely by the private sector. Businesses wrestling with double-digit increases in health care costs are fighting any move that would add even marginally to the problem.

But two factors now seem to us to outweigh those concerns. The first is practical: Experience in both the federal employees' insurance system and in states that have enacted their own parity laws argues that, by

managing care, insurers can move toward equal treatment without crippling cost increases. The Congressional Budget Office has estimated that enacting the parity bill now pending in Congress would add just less than one percent to the overall national cost of insurance premiums, though specific costs will vary from business to business depending on what benefits are offered. Insurers, CBO noted this spring, still will be able to exercise the management tools that have been used in the past to decide what treatments are appropriate and warranted, and to hold down expenses. The right response to the gathering health care crisis is to fix the system, not make the mentally ill bear a disproportionate burden.

The second factor is one of fundamental fairness, and of removing the stigma that for too long has shrouded mental illness. Many mental disorders can be clearly diagnosed and effectively treated; some can't. The same can be said of cancers. The pending legislation would require large employers who offer coverage for mental and other illness to handle all disorders in essentially the same way: You can't put treatment limits or financial requirements on mental health benefits that are not imposed on physical ailments. Insurers would not have to pay for what is not medically effective. It's not a huge step, but it would help some people get the treatment they need. It's right to level the field.

Mr. WELLSTONE. I will read the opening paragraph:

Last spring President Bush announced the new commitment to improving mental health care for Americans. He cited unfair treatment as one major obstacle to effective care and pledged to seek legislation to require the insurance plans to treat mental illness in the same way they treat other medical ailments. Now time is getting short and the calendar is crowded, but Congress still should approve a parity bill, and Mr. Bush, recalling his pledge, should help make it happen.

This isn't the position we took when we last examined the subject.

As a coauthor of this legislation with Senator DOMENICI, I am gratified and moved that the Washington Post has come out with a very strong editorial in favor of parity in mental health coverage. This legislation is called the Mental Health Equity Treatment Act, with, by the way, 67 Senators, two-thirds of the Senate, and 243 Representatives, including authors MARGE ROUKEMA and PATRICK KENNEDY, bipartisan in both the Senate and the House, in support of it.

The Washington Post says it is not a be-all or end-all. The Washington Post is absolutely right. But it at least is a huge step toward ending the discrimination. And more or less, I argue, once we have the coverage in the plans, the care will follow the money. And there will be more of an infrastructure of care for people who do not get any help.

I don't know what has happened with the negotiations. There is no stronger advocate than my colleague, Senator DOMENICI. I was excited when the President announced his support. I thought the White House would bring people together and we would have agreement in the House and the Senate and we would pass legislation. Frankly, I have not seen a lot of negotiation take place. It

has been a huge disappointment to me. I hope the White House will become fully engaged. It is not too late.

The President went on record as saying: I want to see this legislation passed; I want to see this discrimination ended. We need to see those words backed by action.

What we call the Mental Health Equity Treatment Act has tremendous support. If the White House would become engaged in this, we can pass this legislation. There are any number of different vehicles we still have this month. I believe we can attach this legislation to one of those vehicles and one of those appropriations bills or other pieces of legislation. This legislation will pass. It will pass because a couple of reasons. It will pass because all of the families that have been affected by this illness—and there is not anybody in the Senate or the House who does not have a member of the family who has not been affected one way or the other—have stepped forward. They have become their own leaders. They have become their own citizen lobby. They basically say it is time to end this discrimination. This is major civil rights legislation.

It will pass. Last time, this became part of the Education, Labor, Health and Human Services appropriations bill. Both Senator HARKIN and Senator SPECTER were strong advocates of this matter when it went to conference committee. We had near unanimous support in the Senate. Then it was blocked last session by the House Republican leadership and the White House. But there were a number of Republicans who said: We are very uncomfortable voting against this. Several of them, I believe, have their own personal experiences in their own families or with friends with mental illness. Several of them said: Look, if this comes back a year later and nothing has been done, we do not want to vote against this.

I come to the floor to include this very important editorial in the Washington Post in the Senate RECORD to bring this to my colleagues' attention. This is a change of position on the part of the Washington Post. The Washington Post points this out in their editorial.

Second, I remind the President that he has made a commitment to helping pass this legislation this session, not to put it off year after year after year. I hope he will back his words with the deed, the good Hebrew word, "mitzvah."

Time is not neutral. We do not have a lot of time yet. There is a lot of good will in the Senate, both by Democrats and Republicans. Certainly, one of the key leaders is Senator DOMENICI. Nobody has done more. I mention MARGE ROUKEMA and PATRICK KENNEDY on the House side. Senator REID has done so much work. I could go on and on. The White House has been semi-missing in action. We need them to become engaged. I have no doubt we can pass this

in the Senate either on its own or as part of this appropriations bill or another bill. I worry there would be an effort to block it.

I think the President can do something wonderful. I think he can do something very positive. I think not only would he get a tremendous amount of support in the Senate and the House, but he would get a lot of support from families and people all across the country.

For my own part, working with my colleague, Senator DOMENICI, I am ready to put this amendment on to a bill. I am ready to do that. Certainly, we are going to do that in the Senate. We are going to get this into a conference committee. If we get the support from the President, we will pass this legislation. It would be win-win-win.

The insurance industry will not love it. That is true. They will not be in love with it. But it will be a win for the White House for doing something very good for people. It will be a win for both Democrats and Republicans, Republicans and Democrats. Most important of all, it will make a positive difference in the lives of many families and many people across this country.

Let's get this done. Let's get the support from the White House. Mr. President, you said you were all for this. We need you. We need you to be engaged. We need you to exert leadership. We need your support. If we get your support, we will pass this legislation.

As we look toward September 11, and commemorate this tragic day in America's history, we can be proud of the way in which the American people rallied to support those who suffered such unspeakable losses in their lives. Many of us still feel the shock and the fear of that day, and while we can take great pride in the ways in which our country has recovered, we know that for many, the grief and the trauma is still sharp and constant. We know more about how such events can leave scars on the psyche of a country, as well as individuals. We know that many who had suffered from mental illness prior to September 11 may find they need treatment again. We know that many in New York and other parts of our country are suffering from post-traumatic stress disorder. We show our strength as Americans when we respond not only with our strength and outrage toward the perpetrators of this horror, but also with compassion and support toward the victims.

I was pleased to sponsor support for programs that provided emergency mental health care for survivors and emergency workers and their families in the Senate's bioterrorism bill and other legislation. But we know that more is needed to improve the overall infrastructure of mental health care in our country's response to terrorism. People with mental illness are routinely denied decent mental health care. They are required to pay more for their care, and are given less access,

simply because their illness is located in the brain, and not in another part of the body. While we can be proud as a country for our ongoing fight to reduce stigma against the mentally ill, we here in Congress should not be so proud. Nor should the President. We have not yet done our job in truly helping those with mental illness by ensuring full mental health parity in insurance coverage.

The Mental Health Equitable Treatment Act, which I have sponsored with Senator PETE DOMENICI, is poised to pass in this congress. This bill is more than ready to move forward and to be signed by the President. S. 543 enjoys the support of two-thirds of the Senate, 67 Senators, the majority of the House, 243 Representatives, and about 250 organizations representing health care, education, law enforcement, disability, religious organizations, and many others. On June 6, more than 2,000 people rallied at the Capitol in 100 degree heat to demand that this legislation move forward. On April 29, President Bush publicly proclaimed his support for full mental health parity and vowed to work with Congress to make sure he signed a full mental health parity bill this year.

And today, the Washington Post, which has historically questioned the value of mental health parity, reversed its position in support of full mental health parity. The Post states on its editorial page, "Now time is getting short and the calendar is crowded, but Congress still should approve a bill, and Mr. Bush, recalling his pledge, should help make it happen."

Throughout this Congress, I have continued to work with Senator DOMENICI, and with Senator KENNEDY, who, as Chair of the HELP committee, has been so helpful in moving this bill forward. Senator DASCHLE has stated many times that this legislation is one of the priority issues for the Senate floor. I have worked with White House staff to help clarify the intention of Congress in shaping this legislation—that we expect it to be a comprehensive bill that does not discriminate against people by diagnosis. We have been open and available to discussing issues of concern to other members and the White House. But we are still waiting? Why? Because the opponents of this bill—the insurance industry—continue to try to influence their friends at the White House and on Capitol Hill to either kill this bill, or weaken it so much that it would provide very little help to those who are praying for its passage.

Every argument the opponents have tried to put forward—whether it is cost, or science, or treatment effectiveness—every one of these arguments has been fought and won by the supporters of this bill. Opponents have challenged the CBO cost estimate of this bill not once, not twice, but three times, to no avail. The cost of S. 543 is low: the estimated increase in premiums for full mental health parity, covering all diagnoses, is 0.9 percent.

The opposition also distorts the purpose and intention of the bill by trying to limit it to only 5 percent of mental illness diagnoses. They know there is no scientific or even economic basis for restricting coverage in this way, but they continue these destructive methods as one more way to try to kill the bill. They resort to ridicule by trivializing the pain and reality of mental illness and the toll it takes on the lives of those with this illness and their families. This is an outrage, and we cannot allow such tactics to destroy the democratic process.

We all are very aware of how much work is remaining on our Senate calendar, much of which is so important to our country. But here, in this piece of legislation, we can show true bipartisan support, along with solidarity with the President, for those with mental illness. This bill will help those with chronic mental illnesses, those with acute depression, anxiety, or PTSD resulting from the trauma of September 11, children with autism or eating disorders, and the millions of other Americans with mental illness. Without treatment, mental illness can worsen, and can even lead to death. We cannot as a country allow people with mental illness to be treated as second-class citizens any longer. As the Post said today, "The right response to the gathering health care crisis is to fix the system, not make the mentally ill bear a disproportionate burden."

When President Bush spoke in support of full mental health parity, we in the Senate had already done our job. We had invested many months in bipartisan meetings to shape a bill that respected the business community, the insurance industry, and the needs of those with mental illness. This is why this bill has the support of the majority of Congress and about 250 organizations who represent millions of Americans.

It is time for President Bush to speak again, to publicly support this bipartisan, bicameral bill that clearly has the support of the American people. The House has finally held hearings on this, and I want to thank those committees for doing so. The hearings made it possible for witnesses to expose the arguments of the insurance industry for what they are. The opposition is based on nothing more than discrimination and protecting the corporate bottom line.

I want President Bush to be confident that he has my continued support to do everything possible to pass this legislation. But I ask him now to follow through on the promise he made in New Mexico to support full mental health parity. This legislation is ready to move forward. The President asked to sign a full mental health parity bill. There is nothing stopping this bill except the politics of the insurance industry. I ask President Bush to put the needs of those suffering from mental illness first, to help prevent further suffering and deaths, and to ease the

pain of those scarred by September 11 by helping to make treatment available to those who need it. I ask him to urge Republican Congressional leaders to support this legislation. I ask him to endorse S. 543/H.R. 4066.

Within the constraints of the Senate calendar, this bill may move forward independently, or we may again attach it to an appropriations bill, as we did last year. With the tremendous support for this bill on and off the Hill, we have these options. However, when the bill moved forward on LHHS appropriations in 2001, 10 House members voted to kill this bill, and President Bush wrote a letter to Senator DOMENICI promising to help pass it this year. I ask the President to follow through on that promise. I ask him to prevent the insurance lobby from killing this bill again. Our country needs this legislation, and the majority of Americans have made it clear that they want it now.

I look forward to the day when people with mental illness receive decent, humane, and timely mental health care. It will be a good day for our country. I ask the President to make sure that this day comes soon.

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

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

ORDER OF BUSINESS

Mr. DASCHLE. Mr. President, I know there are Senators who wish to travel to their States to accommodate the remembrance ceremonies with which many are involved tomorrow. As a result of that understanding and in appreciation of the need for travel, it is my expectation to withhold scheduling any additional votes today and then to announce that there will be no votes tomorrow.

So Senators who have an interest in traveling are welcome to do so. We have had a number of requests from Senators on both sides of the aisle. To accommodate those requests, that will be the decision.

There will be votes early, at least I should say midmorning, on Thursday. Senators should be prepared to come and participate in debate and be prepared to vote as early as 10 or 10:30 on Thursday.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ASSESSING IRAQ'S MILITARY CAPABILITIES

Mr. DURBIN. Mr. President, as we approach the anniversary of the Sep-

tember 11 tragedy, our Nation is in the midst of a national debate about war with Iraq.

I am sure the presiding Senator recalls, as I do, graphically, that day just a year ago, on September 11, when the Capitol Building was evacuated. During the course of that evacuation, it finally hit me, as I stood on the grass outside the Capitol and was looking at this building, I was looking at the last building ever invaded by a foreign army on the continental United States soil, when the British attacked the Capitol during the War of 1812. That struck me as I stood there and reflected that once again an enemy had struck the United States home.

I never would have imagined, when I came to work that week, that by the end of the week I would be voting unanimously with my colleagues in the Senate, Democrats and Republicans, to give to the President of the United States the authority to go to war and the resources to go to war. It happened so quickly, but it was the right thing to do. We understood that the United States was in peril, was in danger—and still is—from the forces of terrorism around the world. We stood as one, in a bipartisan way, to back the President, to fight this war on terrorism, to go after those who were responsible for the September 11 tragedy which struck the United States.

Now, here we are a year later. The war on terrorism continues. Few, if any, would say that it is resolved or that we have won it. And we are debating the possibility of another war against another enemy. Osama bin Laden has not been captured or accounted for. The major leaders in al-Qaida are still on the loose somewhere. We believe al-Qaida still has a network of sleepers in 60 nations around the world. Afghanistan, the first battleground in the war against terrorism in the 21st century, is still not a stable and safe country. Hamid Karzai, the President of Afghanistan, barely survived an assassination attempt last week. We have thousands of American troops still on the ground there. I had the honor to meet with some of them last January; our hearts and prayers are with them every single day. But that war on terrorism still continues.

Yet the administration comes forward and tells us we still have to think about the possibility of another war, in this case a war against Iraq. Indeed, it is possible that within a few days or maybe a few weeks the people of the United States of America, through their Members of Congress, will be asked to vote on whether to go to war against Iraq. It is hard to believe the events are moving so quickly that we would be declaring a second war within little more than a year of the September 11 attack.

Last Sunday on "Meet the Press," Vice President CHENEY indicated that the administration would like the Congress to vote on Iraq prior to adjourning this October. Do you realize that is

a matter of weeks—weeks, before we would be called on to make this momentous decision? Because this is not a matter of high-altitude bombing when it comes to Iraq. We wouldn't have the luxury of that type of warfare. We are talking about, in the President's words, "regime change." We are talking about removing Saddam Hussein from power, not peacefully but with force. That would involve, I am afraid, land forces invading, the type of war we have not seen in many decades in the United States.

We recall the Persian Gulf war. It was a much different situation, a little over 10 years ago, precipitated by Saddam Hussein's invasion and occupation of Kuwait: The formation of a coalition led by the United States but also with the United Nations and allies around the world, including many Arab States who joined us.

We fought to remove Saddam Hussein from Kuwait. We were successful in doing that. We had logistical support. We positioned our troops in Saudi Arabia and nearby. We had a broad coalition. We were forcing Saddam Hussein out of a territory he had occupied.

This is a far different challenge if we invade Iraq—different in that the coalition today consists of England and the United States, and no others. Logistical support is hard to find because the countries surrounding Iraq have basically told us they will not support us in this effort. Frankly, we would be fighting Saddam Hussein on his own territory, which gives him a home field advantage, which most military experts concede. Would we be successful ultimately? Yes—at some cost and at some price over some period of time. I have no doubt the American military—the very best in the world. Hussein would be gone. I can't tell you what it would cost.

In the midst of the Kuwait situation, Saddam Hussein didn't use chemical and biological weapons, which we believe he has, but instead he decided to fire Scud missiles on Israel—kind of a third party to this conversation—hoping, I am sure, that he would destabilize the Middle East and cause such an uproar and consternation that the United States would withdraw. It didn't work. Sadly, Israelis died in the process.

This time, we are not talking about moving Iraqi troops out of Kuwait but actually killing and capturing Saddam Hussein. To what lengths would he go in response? What victims would he seek? He doesn't have missiles to reach the United States, but he has the capacity to train what missiles he does have on nearby neighbors such as Israel.

Vice President CHENEY said that before the October adjournment, Congress would be asked to "take a position and support whatever the President needs to have done in order to deal with this very critical problem."

By most definitions, that is article I, section 8, clause 11, of the Constitution