

that boys and men have traditionally had. Athletic training and competition have the same benefits for females as for males: teaching them not only how to score goals but also how to set goals—and work hard to achieve them, promoting cooperation and teamwork, developing leadership skills, and instilling self-confidence.

Mr. President, I have had the opportunity to serve in the Senate with two great athletes, two Hall of Fame athletes. One is Bill Bradley, who until recently was a Senator from New Jersey. What a fine man he is. A lot of his greatness was as a result of his athletic abilities.

Senator JIM BUNNING from Kentucky, with whom I have had the pleasure to serve and get to know, is a member of the Baseball Hall of Fame, as Senator Bradley is of the Basketball Hall of Fame. JIM BUNNING is here for a lot of different reasons, however most notably, this man, as he went through his baseball career, developed this tremendous confidence. Anyone who knows JIM BUNNING knows of his tremendous self-confidence. That came as a result of his athletic prowess, ability, and hard work. That is what athletics is all about, and it works for women as it does for men.

At a time when far too many American youth lead sedentary lifestyles and are obese, we must support programs that lead to improved fitness and health. Adolescent female athletes are more likely than non-athletes to develop a positive body image and less likely to become pregnant. They also are at less risk for diseases and health problems that afflict women like osteoporosis or breast cancer.

In addition, sports provide a safe and health alternative to drugs, alcohol, and tobacco, and to anti-social behavior. Students who participate in these programs feel a greater connection to school, have an additional incentive to attend classes and keep their grades up so they can maintain their eligibility.

I am disappointed, if not surprised, that some critics would like to halt this progress. They are making misleading and unfair criticisms of title IX. We are watching what this commission does this week in Washington.

So while we remain vigilant against attacks on title IX, we must also push for its continued implementation and enforcement, and the only changes we will allow will be changes for the better.

Often, we hear that girls and women are the beneficiaries of title IX. I'm sure they are. But I think it is more accurate to say that we all benefit from this important civil rights legislation. Certainly, American society as a whole is better when women—who after all make up more than half of our population—are provided a fair and equal opportunity to develop their full potential.

ORDER OF PROCEDURE

Mr. GREGG. Mr. President, I ask unanimous consent that the time between 1:30 and 2 be under the control of Senator HOLLINGS; the time between 2 and 3 be under the control of the majority leader or his designee; the time from 3 to 3:15 be under the control of Senator HARKIN; the time between 3:15 and 3:30 be under the control of Senator CORZINE; the time between 3:30 and 4 to be under the control of the majority leader or his designee.

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

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

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

Mr. FRIST. Mr. President, I understand we have the next 30 minutes on our side in morning business.

The PRESIDING OFFICER. The majority leader is correct.

REFLECTING ON THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. FRIST. Mr. President, I rise to very briefly comment on the President's message last night and to initiate my own reflection, which I hope to have the opportunity to continue over the next several days and weeks as we respond to the vision that he painted for us in a very eloquent, very direct, and very focused way last night.

Last night, the President said we will not deny or ignore or pass along today's problems to future leaders and future generations. He said we will confront them head on, we will confront them directly, we will do it with clarity, and we will do it with courage.

He is right. We have much to do. And our success in this body very much depends on our own focus and our own clarity and our own courage.

Let me begin with health care—specifically, this whole issue of Medicare, strengthening and improving Medicare and prescription drugs.

Last night, the President made it clear that if seniors and individuals with disabilities are satisfied, if they like and are pleased with the Medicare coverage they have today—the way the Medicare system works for them today—that they will, in this vision that he paints, have the option of not changing anything, for keeping it just the way it is. Remember, about two out of three of our seniors and individuals with disabilities today do have some prescription drug coverage. Many of those individuals may say: I don't want to change anything.

He also made it clear—and this is what is exciting to me as a physician and as one who has taken care of thou-

sands of Medicare patients—that seniors and individuals with disabilities should have another option, another alternative. That is best understood by saying they will have an opportunity to choose from among a menu of options, much like BILL FRIST does as a Senator or Senator KIT BOND from Missouri does or Senator HAGEL or others.

We hear from the other side of forcing people into HMOs. Let's make it very clear that the option the President began to spell out last night—that I believe in heartily—is that we should give seniors the same options we have to choose from among a variety of plans, not just HMOs, as the other side of the aisle comes back to because they know HMOs are demonized today, but an option of coordinated plans which include prescription drugs.

Nine million Federal employees have this option for a type of care that we all consider very good, that does allow us to choose our own doctors, if you choose such a plan. And those are the sort of options that will be made for seniors. It works for us. It works for 9 million employees. It works for our staffs. So don't seniors deserve the same opportunities?

It is going to take real courage for anyone to tell Americans they should not have the same options that we have, which is the President's proposal: to give those same opportunities to seniors and individuals with disabilities.

Opponents of choice in health care for seniors are saying the President's plan forces individuals to give up their doctors, their family doctors, or forces them to use a particular physician. Indeed, if a senior so chooses to go that route, maybe for larger benefits, higher prescription drug coverage, that may be one route to going in, but that is not what we necessarily have to do. We have that broader choice. To say that people are going to be forced into plans where they have to give up their physicians, that is not what happens to 9 million Federal employees unless that is what they choose to do. I am in the same program, and I choose my own doctor.

What we are hearing is a lot of the same old, tired rhetoric. And it really comes down to scare tactics. When we last talked about Medicare, improving Medicare, in the Senate, this word, "Mediscare," became popularized because that is what people saw, that is what the rhetoric resulted in.

Indeed, some people are using these "Mediscare" tactics to frighten seniors and to create anxiety and insecurity. It is time for us to pull together, in a bipartisan way, to elevate the discussion well above that.

The pursuit of these scare tactics results in nothing but fear and anxiety. Our seniors simply deserve better.

The President talked about the Federal employees' health care program as one model. Under that model, there is a strong public-private partnership where you get the very best out of the

private models combined with the very best oversight and, yes, regulation in terms of the Government model, and you marry the two of those together in a way that you can best—in a coordinated way—take care of prevention, diagnosis, and treatment of seniors and individuals with disabilities.

Many of those plans, as I implied earlier, have an unlimited choice of physicians. In my particular plan, that I chose in the Federal Employees Health Benefits Program, I can go to any physician I would like. So to say it takes away choice is, to me, not being entirely honest with what is being proposed.

To do the right thing for our seniors and individuals with disabilities is going to take a lot of the focus and the clarity that the President spoke about last night in his address. It is going to take a lot of courage in this body to focus on the policy itself—on the policy itself—and not on the politics and the “Mediscare” tactics, to really get down to the substance of the issue itself. Politics and policy each have their time and their place, but when we are talking about the health care for 40 million Americans now and in the future—in essence, all Americans—we really do need to put politics aside. Politics has no place when we are talking about the health of Americans.

My first priority—from medical school, internship, residency, fellowship, and in the practice of medicine—has been to improve access to the best, most affordable health care. As majority leader, in working with the Republican caucus and the Democratic caucus, I want to continue that lifelong commitment to improved access.

It is clear the current Medicare system, the 2003 system, has not kept up with the advances that have been made in preventive health care—in terms of prescription drugs, in terms of chronic care management—because the system has become too rigid.

We are essentially operating with a system designed in 1965, which has been slow to change because the system worked well through the late 1960s, 1970s, and even into the early 1980s. However, we have now gotten to a point where the current Medicare system is limiting choice, where our seniors don't even have a choice of prescription drugs. Prescription drugs has become equally powerful to the operating rooms, where I spent my career using the surgeon's knife.

A survey this month by the AMA tells us that nearly half, 50 percent, of all physicians today are considering either reducing their Medicare patients—the number of patients they will see—or they are leaving the Medicare Program. Why? Because of reduced Medicare reimbursement year after year—a 5-percent reduction last year and another 5 percent this year, they see continued reimbursement below their cost, and they simply cannot stay in business.

The President mentioned medical liability insurance last night. I think it

is important to address it head on because we are reaching a threshold where we are about to see catastrophe. It comes down to frivolous lawsuits. Can we tolerate the lawsuits when the escalation and number of lawsuits, and the money entailed, takes money away from health care and drives people from the practice of medicine to the point that we are having trauma centers close down—most notably in Nevada last year. And 6 weeks ago, we saw the doctors in West Virginia—it hurts me to even think about going on strike in terms of what physicians are doing. When you cannot stay in business, physicians really have no choice. We saw what happened in West Virginia.

The President said frivolous lawsuits have not cured one patient. He is exactly right. I can tell you what will cure patients, and that is changing our medical liability system so doctors can afford to heal, so they can be allowed to heal.

Again, as a doctor, I will fight for the right of any patient to sue and receive fair and just compensation if they have been a legitimate victim of a medical malpractice incident or an error. That is critical and that is right. What is not right, and what I will continue to fight against, is the reduction of access to good health care because doctors and hospitals can no longer afford to continue doing what they do best—diagnose, treat, and heal, provide care—because of these skyrocketing costs that are associated with frivolous, illegitimate lawsuits.

It comes down to the fact that family doctors are having a hard time staying in business and keeping the doors open; trauma units are shutting down; pregnant women in rural America are having a hard time finding an obstetrician because they are having to leave that particular area because of the exorbitant rates they are forced to pay, not because they are bad doctors but because of these skyrocketing lawsuits. It is going to take laser-like focus to fix this, and I agree with the President that we have no option but to fix it now.

The President introduced many positive policies last night. I want to comment on one that means a great deal to me that I think we will be able to address in this body early in the session, and that is the international pandemic of the HIV/AIDS virus. What the President said last night was truly historic, truly unprecedented in the history of the world, addressing head on a problem that has killed 23 million people in the last 20 years—a virus nobody knew anything about in 1981 and that, in the best of all worlds, will kill, for every one person in the last 20, two in the next 20, or almost 45 million people. I cannot begin to say how important this is and how impressed I am that the President is taking bold action, demonstrating bold leadership, by making the United States of America a courier of medical care, of education, and

thereby making the United States of America a courier for international hope, in the sense that it is addressing what is destroying a nation, a continent, and now spreading throughout the world.

I also commend the President for his commitment to the protection of all Americans from this whole threat of bioterrorism. The threat is real and these biological agents are in the hands of our enemy. These agents are deadly. When you talk about anthrax and Ebola, which the President mentioned last night, and you talk about plague, you are talking about agents that are more powerful than nuclear weapons. These weapons of mass destruction—now in the hands of terrorists—are more powerful than nuclear weapons. A biological agent is a tiny microorganism that can be transported in a little vial in your pocket, unlike most nuclear weapons. They are cheap, they are easily transportable, and they are more deadly than nuclear weapons.

My closing point is on this particular facet of weapons of mass destruction. We know our enemies—I speak now of Saddam Hussein and his henchmen—have in their possession quantities that serve no purpose but that of weapons of mass murder. Saddam Hussein, we know, is a serial killer. He has used chemical weapons—they are not biological weapons. There are chemical, biological, and nuclear weapons. Chemical weapons are similar to biological but a little bit different. Saddam Hussein has used chemical weapons and, in 1 day, killed 5,000 of his own people, and 10,000 people in addition to those who were injured, and tens of thousands between 1983 and 1988 were killed by these chemical weapons. We know he has these weapons; we know he harbors terrorists. Why in the world would a rational person believe he would hesitate to help others terrorize the United States or Europe or Asia or Israel, wherever anyone has an agenda of hate?

Some question the wisdom of a preemptive attack against Saddam. It is akin to being against preventive health care, against these deadly microorganisms which are used as weapons of mass destruction, for which there is no cure. We have no cure or vaccine. The Ebola virus kills, and we have no vaccine right now. We have no treatment for the Ebola virus today. It was overlooked, but the President introduced a \$6 billion program last night to best protect us from these biological agents, which we know other countries have developed in the past as offensive weapons of mass destruction.

I look forward to Secretary Powell's presentation at the United Nations next week, as this President continues to use every diplomatic means to force Saddam Hussein to fulfill his responsibilities to the world community. I am proud this Congress voted overwhelmingly to endorse the ability of our President to do whatever is necessary to protect America, including force, if

it is necessary, and we pray that it doesn't come to that.

Our President has shown courage. He has shown clarity. He has shown focus in his efforts to rid the world of terrorists and others who are threats to freedom. I hope all of us in this body show the same courage, clarity, and focus. The health of our Nation depends on it. I yield the floor.

THE PRESIDING OFFICER (Mr. SUNUNU). The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I appreciate the thoughtful discussion our majority leader has given on health issues, on combating AIDS, and on the need to prepare vaccines and protection against the biological weapons that terrorists may use. It was a very important part of the President's speech last night, and certainly there is no one more qualified in this body, or elsewhere, than the distinguished majority leader, the Senator from Tennessee, to speak about these matters.

Following on the State of the Union Message, some commentators were saying today they wish the President had spoken more about the economy. He did speak about the economy. He made it clear that his goal is to see that every American who wants a job and needs a job can find one, and he proposed tax relief to make sure that the money is there for small businesses to expand and grow and hire more people.

Money for working families, for child care and health deductions on their tax returns, and putting a thousand dollars in the pocket of every American family is going to make the economy move.

IRAQ

Mr. BOND. Mr. President, the news has been focusing, and much of the discussion in this Chamber has been on, the threat that Iraq poses. I have listened to some of my colleagues today on the question of what to do about Iraq. Over and over, there is this clarification call for more time: more time for inspectors to do their work; more time to enlist more allies; more time for Saddam Hussein to comply.

With all due respect, I ask them: How much is enough? We have already been at this for 12 years, 12 years since the end of the Persian Gulf war. Do we need 12 more years? One more year?

I would like to flip the question on my colleagues and ask: How much time do we have? Every minute we wait, Saddam Hussein's efforts to acquire weapons of mass destruction and to share them continue. Every minute we wait, the surviving al-Qaida terrorists plot their next attack. We fear it may be a weapon of mass destruction, particularly chemical and biological attack.

Sooner or later, either here or somewhere else in the world, we will run out of time. We ran out of time in New York, Pennsylvania, and the Pentagon on September 11. Brave sailors on the USS *Cole* ran out of time. Our two em-

bassies in Africa ran out of time in 1998. Over 200 innocent victims, mostly Australians, ran out of time in a Bali, Indonesia, nightclub.

How many more attacks must we absorb before we realize that time is not on our side? Where will the next attack be? Will it be against a soft target? Certainly the soft targets are the ones the terrorists say they want to attack. Will it be St. Louis, Kansas City, San Francisco, New York, or someplace in New Hampshire or someplace in South Carolina?

What will it be the next time? More airplanes flown into buildings? Probably not. Truck bombs against sports stadiums? Suicide bombers in crowds? More likely a toxin released in a subway or a skyscraper or at a large public event.

Right now there are people who are sworn enemies of this Nation plotting the next attack. We know their intentions and, unfortunately, we know their capabilities. What we do not know is their next method of attack, although they have a track record of intentional unpredictability.

Will they get their next weapon from Iraq? After 12 years of cat and mouse or rope-a-dope—whatever one wants to call it—we want to call Saddam Hussein's strategy of delay and deception unacceptable.

We cannot wait much longer. We already know too well the true nature of the Saddam Hussein regime in Iraq. He has failed to live up to his obligations under the 1991 cease-fire after the Gulf war. Still, some friends on the other side of the aisle plead for more time. I cannot understand why anyone would plead for more time for Saddam Hussein, a man who has been in clear breach of U.N. obligations since 1992.

Specifically, Iraq has been in material breach of U.N. Resolution 687 which was passed in the spring of 1991. That resolution called upon Iraq to "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components of all research, development, support and manufacturing facilities."

Some may be unable to understand that Iraq has been in material breach of the U.N. obligation since 1991. Sadly, this is nothing new. This latest round under U.N. Resolution 1441 was Saddam's last chance to get back into compliance.

Dr. Hans Blix reported to the U.N. Security Council on Monday that in large part, Saddam Hussein has failed to get back into compliance. Even the Washington Post editorialized that it is an "indisputable truth" that "Iraq is in material breach" of 1441. If Iraq is not complying, then it must be lying.

Iraq has not only failed to disarm, it has worked to obstruct and evade international supervision. There are reports Saddam Hussein has tried to infiltrate the U.N. teams; that Iraq has

threatened its scientists with death if they cooperate with U.N. inspectors; that Iraqi security agents have posed as scientists to thwart the inspectors' work. Clearly, Iraq is in violation of 1441 for having failed to comprehensively account for missing weapons of mass destruction.

Secretary Colin Powell had it right when he said it makes no sense for the inspectors to stumble around in the dark looking for evidence of non-compliance. It is instead Saddam Hussein's legal obligation to turn the lights on and turn over the goods.

In addition, Saddam Hussein continues to violate U.N. resolutions by firing at coalition aircraft. He refused U.N. inspectors' request for aerial surveillance, and yet some still plead for more time.

We have drawn so many lines in the sand that we are running out of desert, we are running out of sand in which to draw lines.

The American people will not forgive us if another attack comes when we dither with procedures and process in the corridors of the United Nations. What do we say to the victims then? What words of comfort could we possibly give to widows or children who have lost their parents? Can we say: I am sorry, but we had to enlist the support of the French before we could act? What solace would that provide a family mourning a loved one lost forever?

What about our military troops ordered into harm's way? Every moment of delay allows Saddam Hussein to ready himself for battle, and the more ready he is will quickly translate into higher casualties among U.S. and allied forces.

Time, regrettably, is not on our side. We know what we have to know to act. Indeed, I believe we would be failing our sworn obligation to defend this Nation if we fail to act in light of all we know about the threats we face in Iraq.

For all of my colleagues who are still asking for more time, I plead with them to read the key findings about Iraqi weapons of mass destruction efforts taken directly from the CIA's unclassified Web site. It was reported there last fall.

We know from U.S. and British intelligence reports that have been made public that since 1991, Iraq has repeatedly been caught redhanded lying about the extent of its missile and weapons of mass destruction programs.

With the defection of Saddam's son-in-law, Hussein al-Kamel, in 1991, as head of the Iraq WMD program, he revealed the extent of the continued illegal operations in the face of sanctions and prohibitions. Baghdad illegally retained proscribed al-Hussein missiles and launchers. It constructed a new test engine for the development of missiles capable of threatening much of the region. And it pursued illegal programs to procure materials for illegal development of longer-range missiles. We know that if Iraq acquires sufficient weapons grade material, it could