

These are the words I want to stress. He said:

We owe the right of dignity in sickness, as well as in health.

Protecting the health of our Nation's seniors was the right thing to do in the early 1960s, and it is the right thing for us to do now. Back in 1965, Medicare was designed for the way medicine was practiced at that point in time, and that was to treat acute or episodic illnesses that would bring people to the hospitals. It was not designed at that time, nor could it be designed at that time, to keep up with the dazzling innovations, the creativity, and the dynamic discoveries that were being made almost on a daily basis. These great advances have and will continue to transform medicine. We have a structure with Medicare that simply is not flexible enough or adaptable enough to assimilate or capture those great discoveries that are being made. That leads us to unacceptable gaps in coverage. One of those gaps has become apparent to us all, whether we are seniors or individuals with disabilities, or those of us in the political arena listening very carefully to our constituents. That is the gap for prescription drugs.

What seniors deserve is health care security. Unlike in the 1960s when it was designed—there haven't been that many changes, really, since the 1960s—today that health care security does involve good preventive care, access to affordable prescription drug protection from those unexpected catastrophic costs which can reach astronomical levels, and access to the modern technology that I mentioned before.

Since it doesn't include all of those things, it has not given the security I and I believe all of us believe seniors deserve.

If you look at certain technologies such as preventive tests for breast cancer and prostate cancer, it literally required an act of Congress before they could be covered by Medicare. We in Congress simply cannot respond, with all of the other responsibilities, to each and every innovation that comes through. We simply can't do it.

More basic care, such as cholesterol screening in my own field of heart-lung cardiology—you all know the importance of cholesterol—is not covered today. In the end, it creates lapses in a very good system. Medicare is a very good system, but it is simply not a system that is up to date with the quality of care that we could give our seniors today.

I would say that we do have an obligation—I would call it a moral obligation—to ensure that Medicare does provide the highest quality of care to our seniors that we are able to provide and which I believe we can provide.

The Senate Finance Committee has been working for the past several months to develop such a plan. We are building on the work of a lot of past bipartisan efforts in this body: the Breaux-Frist plan, the House-passed legislation, the Senate tripartisan plan

of the last Congress, and the President's framework for reform.

In early June, the Finance Committee will be addressing this matter under the leadership of Senator GRASSLEY, working with Senator BAUCUS, and we will take this proposal to the floor, as amended through committee, sometime in those last 2 weeks of June.

It is my hope and it is my intention to vote on final passage of such legislation before we adjourn for the July 4 Independence Day recess.

Once passed, we will begin to provide that prescription drug coverage for seniors and improve that system for health care security for our seniors.

I do think we need to address this issue in a bipartisan way. This is a big bill. It is a big expansion of Medicare. It is going to take people on both sides of the aisle to address this important goal of protecting the health of our seniors.

I mention all this only because it is so big and so large that I encourage my colleagues to start studying and re-studying the issue, even though we have a very busy week now, and then we have our recess during which we will be with our constituents back at home, and then we will come back to an energy bill, and then Medicare. I want people to start preparing for that right now because it is such a large challenge before us.

Our Nation's seniors are depending on us to do the right thing for them. With the appropriate planning, with the appropriate discussions, again, in a bipartisan way, we will be able to deliver on that promise.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Would the Chair announce morning business. Has that been done?

The ACTING PRESIDENT pro tempore. It has not.

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, there will now be a period for the transaction of morning business until the hour of 10 a.m., with the time equally divided between the Senator from Texas, Mr. CORNYN, and the Democratic leader, or their designees.

The Senator from Nevada.

Mr. REID. Mr. President, I know the junior Senator from Texas is in the Chamber and wishes to speak.

I am wondering how long he wishes to speak. I direct the question through the Chair to the Senator from Texas.

Mr. CORNYN. About 10 minutes.

Mr. REID. Mr. President, I have some remarks I wish to give while the majority leader is on the floor. I ask unanimous consent that morning business be extended until 10:10, and that the extra time be equally divided.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

MEDICARE

Mr. REID. Mr. President, the subject of Medicare is extremely important. Medicare is not a perfect program, but it is a good program. It has done so much to help the American people.

I am glad to see we are going to address the issue. I hope we address it with the intent of doing more than just calling it Medicare reform. It has to be real Medicare reform. I hope that can be accomplished.

(The remarks of Mr. REID pertaining to the submission of S. Res. 146 are printed in today's RECORD under "Submitted Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Texas.

REBUILDING IRAQ

Mr. CORNYN. Mr. President, I rise today to say a few words about the rebuilding of Iraq and, more importantly, the creation of a democratic Iraq.

Iraq is situated in the very cradle of civilization. It has an ancient and colorful history. And although it is easy to overlook now, Baghdad itself was once viewed as a center of learning and cultural activity until it was hijacked by the fascist regime of Saddam Hussein.

Today, Iraq is a hive of clan warfare, looting, and violent chaos. There are competing political groups, armed criminal gangs, and street thugs. The Iraqi people are free of Saddam, but they are not yet free of fear.

The situation is complex, delicate, and decidedly unpleasant. But unless America and our coalition partners act quickly and decisively, self-government will be recalled years from now as only a fleeting dream for the people of Iraq.

I believe there is still hope and opportunity—hope that the free people of Iraq can conquer the anarchy that controls their streets, and opportunity to fulfill the promise of a thriving democratic Iraq.

That dream may seem far off in Baghdad today, but as John Adams once said: "People and nations are forged in the fires of adversity."

In order for Iraq to grow and blossom from the rubble, it requires security. It requires order. It requires the rule of law.

First, we must begin by ensuring the basic security of the Iraqi people. People must be able to buy food at the market without fearing armed robbery or kidnapping. They must be able to worship without fearing snipers or skirmishes. Their children must be able to go to school without hearing the sound of gunfire nearby.

The Middle East looks like the Old West right now, and we need lawmen to help restore the peace. We must eliminate the threats posed by what remains

of the Baathist Party and the common criminals who control the streets and highways. We must end the looting and restore the property rights of the Iraqi people. We simply cannot construct the foundation of a peaceful and just society when there is still no security in Iraq.

Dr. Karim Hassan, director general of Iraq's electricity commission put it this way: "Give me security, and I will give you electricity."

The brave men and women of our Armed Forces have done heroic work in Iraq. I know I speak for the people of my State of Texas, for all Americans, and indeed for all freedom-loving people when I give thanks that the operation in Iraq was concluded swiftly with a minimum loss of coalition lives. But it would be a grave mistake to burden our military alone with the job of ensuring security for the Iraqi people. Indeed, that is not their principal mission.

After security is restored, a functioning legal system must be established. There is the immediate problem of establishing a police force. Under Saddam's regime, the police were nothing more than shock troops bent on fulfilling the dictator's tyrannical bidding. Now they must act to protect and defend the people they formerly dominated and abused. The police in Iraq are no longer the law, violently expressed; they must now enforce and be held accountable to the law.

No system of justice can survive long in the absence of law and order, and there can be no democratic Iraqi state as long as lawlessness reigns.

Secondly, we must help the Iraqi people forge a nation governed by laws, not men. There are multiple proposals being considered for the Iraqi Constitution. While Iraq is clearly in a state of transition, it has a rich and ancient legal history. These traditions should be the foundation for the laws of this reborn nation, the constitution for a reborn Iraq.

We should not kid ourselves that we will see a mirror image of Jeffersonian America circa 1787. The Iraqis will build on their own historical traditions, a history that stretches all the way back to the Code of Hammurabi.

Despite our relatively short history, America has one of the longest uninterrupted political traditions of any nation in the world. The late Allan Bloom once pointed out that what sets America apart is the unambiguous nature of that tradition: "[I]t's meaning is articulated in simple, rational speech, that is immediately comprehensible and powerfully persuasive to all normal human beings. America tells one story: the unbroken, ineluctable progress of freedom and equality."

There are clear differences between America, where government from its inception existed to preserve and protect freedom, and Iraq, where government, until recently, existed to limit freedom and serve as the instrument of oppression.

Iraq's government must undergo a fundamental change, and a constitution that guarantees basic human rights will go a long way towards changing it. The constitution of Iraq must, like the constitution of America, tell one story.

The Japanese constitution of 1947 is one example that can show the way. Following World War II, Japan's new constitution placed sovereign authority with the people and their representatives, in place of the longstanding authoritarian system under rule of the emperor. It renounced war as a sovereign right, and required that the country maintain armed forces for purposes of defense and police functions alone, not for purposes of aggression.

If there is to be a reasonable chance of success for this national democratic experiment, similar measures must be included in the new Iraqi constitution.

At the inception of this country, George Washington, instead of seeking to rule as an emperor, a king, a president for life, returned to his Virginia farm, handing over the reins of the fledgling American nation at the end of two terms in office. The act was astounding at the time, a political humility unknown since the era of Cincinnatus. It prompted his old foe, King George the Third, to call Washington "the greatest character of the age."

But Washington's actions were no accident. Washington recognized that for America to truly be a nation where the people were sovereign, it must first be a nation of laws.

We do not yet know which leader Iraqis will choose. But the identity of the democratic leader is far less important in the long term than the establishment of the rule of law, and not men. While leaders come and go, it is the law that makes a nation.

Third, the Iraqis need a strong and independent judicial system. This process will be difficult and slow going, but we ignore its importance at our peril.

Chief Justice Rehnquist has called an independent judiciary "one of the crown jewels of our system of government." With tireless effort by freedom-loving Iraqis and their friends dedicated to the cause, I believe that the same can be true for the new Iraq.

The central authority in Baghdad currently exists in a vague and indeterminate form, and it is likely that the political climate there will fluctuate frequently over the next few years. The judiciary must exist as an independent actor in this process, to enforce basic human rights, protect private property, and ensure stable conditions that will lay the foundation for the prosperity and happiness of the Iraqi people.

To understand the full measure of Iraq's cruel and inhumane regime, you need look no further than Iraq's mass graves and the packed prisons of Baghdad, where the children of Saddam's political opponents were imprisoned and viciously abused. Under Saddam

Hussein, prisoners were routinely starved, tortured, and murdered. The new government of Iraq must be just and humane, carrying out the duly rendered penalties of a civilized society based on the rule of law.

The rule of law will foster and facilitate prosperity that will improve the quality of life for all Iraqis. There is great promise in a nation where 60% of the population is under the age of 25, and more than 40 per cent under the age of 14. All that most have known is brutal dictatorship, fear and poverty. Soon, they will know freedom, security, and a better life.

With the foundation of legally enforced rights in place, Iraq will no longer be a place of fear for travelers or economic investors. As a nation, they will once again fulfill the true calling of the Qur'an, where it is written: "Be kind . . . unto the neighbor who is of kin, and to the neighbor who is a stranger, and to the companion at your side, and to the traveler."

The Iraqi people will be free to start businesses and open shops, to speak and to assemble, to experiment and study—all in pursuit of better lives, rather than the interest of Saddam Hussein or any other despot. Iraq will flourish as a nation of law and order, where the invisible hand of the free market will benefit both the society of Iraq and the entire region of the Middle East.

The world is watching Iraq closely. And in order for Iraq to grow and blossom, in order to ensure the freedom of the Iraqi people, the new Iraq must be founded on security and the rule of law.

I am thankful—as I know my colleagues are—that the armed conflict in Iraq reached such a swift end, with so few coalition lives lost. The tasks that lie before us in Iraq are in many ways more complex and intricate, and their end is not yet in sight.

For the sake of those who risked and lost their lives so that the Iraqi people might know the blessings of liberty—for the sake of the promise of peace in the Middle East—and for the sake of the children of Iraq—we must not fail.

Thank you, Mr. President. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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.

MEASURE PLACED ON CALENDAR—S. 1079

Mr. WARNER. Mr. President, I understand that S. 1079 is at the desk and is due for a second reading.

The PRESIDING OFFICER. The clerk will state the title of the bill for the second time.