

agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The committee amendment was agreed to.

The bill was read the third time and passed.

MEASURE READ THE FIRST TIME—S. 2095

Mr. FRIST. I understand that S. 2095, introduced earlier today, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant journal clerk read as follows:

A bill (S. 2095) to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people.

Mr. FRIST. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

AUTHORITY TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. FRIST. Mr. President, I ask unanimous consent that during this adjournment of the Senate the majority leader or the assistant majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the recess committees be allowed to file reports on Wednesday, February 18, between the hours of 10 a.m. and 12 noon.

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE HOUSE AND SENATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 361, the adjournment resolution, that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 361) was agreed to, as follows:

H. CON. RES. 361

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on the legislative day of Wednesday, February 11, 2004, it stand adjourned until 2 p.m. on Tuesday, February 24, 2004, or until the time of any reassembly pursuant to sec-

tion 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, February 12, 2004, Friday, February 13, 2004, or Saturday, February 14, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 23, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Mr. FRIST. Mr. President, at this juncture, I have several statements and comments I will make. I will be happy to turn to the Democrat leader if he has comments which he wishes to make.

PASSAGE OF S. 1072

Mr. DASCHLE. Mr. President, I commend the majority leader for the efforts we have made in the last 2 weeks to complete our work on the highway bill. This was not an easy task, but I think we can look back with some satisfaction having achieved our goal.

Again, I appreciate the cooperation on both sides in an effort to complete our work. I have no other comments at this point.

CLOSING THE HEALTH CARE GAP OF 2004

Mr. FRIST. Mr. President, I want to spend a few minutes to make some comments on some current issues that occurred over the course of the day and in the news. To begin with, I wish to make a statement on a bill I had the opportunity to introduce earlier today but have not yet taken the opportunity to comment on, a bill entitled Closing the Health Care Gap of 2004.

I was proud to join today with my colleagues, Senator MARY LANDRIEU, Senator THAD COCHRAN, Senator MIKE DEWINE, Senator KIT BOND, Senator JAMES TALENT, Senator JOHN WARNER, and Senator KAY BAILEY HUTCHISON to introduce this bill, Closing the Health Care Gap of 2004. It is a bill that addresses a major problem and a major challenge we have today in health care; that is, health care disparities.

Last year, I outlined the framework for action to combat these health care disparities that plague our Nation's health care system. Since then, we have reached out broadly to a wide range of national leaders and Senate colleagues to gather their input and their ideas. As a result, I believe that legislation embodies an effective strategy to reduce and work toward elimination of these health care disparities.

Over recent years, we have made tremendous advances in our knowledge of and our fight against disease. But we know millions of Americans today still experience disparities in health outcomes as a result of ethnicity, or race, or gender, or limited access to quality health care.

A couple of examples: Disparity populations exhibit poor health outcomes and have higher rates of HIV/AIDS, diabetes, cancer, infant mortality, and heart disease. The list of illnesses goes on and on. African Americans and Native Americans die younger than any other racial or ethnic group. African American and Native American babies die at significantly higher rates than the rest of the population. Native Americans, Hispanic Americans, and African Americans are twice as likely to suffer from diabetes and experience serious complications from their disease. Today these gaps are simply unacceptable. Today we begin a new and aggressive effort to address these inequities.

This bill—Closing the Health Care Gap Act of 2004—addresses the root causes of health care disparities by focusing on five key areas.

First, expanding access to quality health care.

Second, strengthening national leadership efforts and coordination.

Third, helping increase the diversity of health care professionals.

Fourth, promoting more aggressive health professional education intended to reduce barriers to care.

Fifth, enhancing research to identify sources of racial, of ethnic, and geographic disparities and assess promising intervention strategies.

Every American believes that the best quality of health care possible, regardless of race, ethnicity, gender, or where they live, is deserving. The bipartisan "closing the health care gap" would go a long way toward achieving this goal.

I appreciate the support of so many colleagues and prominent outside organizations, including the National Medical Association, the National Hispanic Medical Association, the Urban League, and the National Conference for Community and Justice. Together, we can make real progress toward eliminating health care disparities, closing the Health Care Gap Act of 2004.

CLONING IN SOUTH KOREA

Mr. FRIST. Mr. President, this morning, many awoke to the news that South Korean scientists have successfully cloned a mature human embryo. This is an alarming development. Decades ago C.S. Lewis saw the dangers facing human dignity. In his essay "The Abolition of Man," he warned in conquering nature, nature is actually conquering mankind. To clone a human being is to move from procreation to the manufacture of human life. And this is dangerous.

My own profession is medicine. A good physician, must, I fundamentally believe, also be a very good scientist. I can tell you from my own experiences as a heart and lung transplant surgeon that without the revolutionary advances in medical science and in technology, my own transplant patients, heart and lung transplant patients of a decade ago, simply would not be alive today.

Indeed, we must reject an irrational fear of technological advance. But the secret of human dignity is living within limits. Those are ethical limits and they are moral limits. They are limits that do not hamper human advances but they preserve them and indeed they promote them.

We strongly support ethical stem cell research but we reject the cloning of human beings. Not only does human cloning experimentation of any kind offend the conscience, it is not medically necessary. As I have said on many occasions, there is no scientific basis to claim that human cloning experimentation is necessary for the long-term success or clinical application of stem cell research. If human beings are special, if human beings are truly sacred, then we must devote ourselves to a better world but we must not do evil to bring about good.

SAME-SEX MARRIAGE

Mr. FRIST. On another issue, and to the best of my knowledge ongoing now, the Massachusetts Legislature is wrestling with how to respond to their supreme court, which has made same-sex marriage the law of that State. Even if the Massachusetts Legislature is successful in passing the constitutional amendment to block same-sex marriage, it will not come before voters for ratification for another 2 years.

Beginning on May 17 of this year, Massachusetts will begin issuing marriage licenses to same-sex couples. Once these same-sex couples sue for recognition in their home States, the wildfire will truly begin. Same-sex marriage is likely to spread to all 50 States in the coming years. So regardless of what Massachusetts does today, it is becoming increasingly clear that Congress must act and must act soon. The Senate will begin working on the issue in the weeks ahead.

This is not a fight we sought, and it is a fight we do not particularly relish, but the courts have brought us to it, and the people of this country will respond. We will not let activist judges redefine marriage for our entire society.

We reject intolerance. We reject hatred. We must treat all our fellow citizens with kindness and with civility. But marriage should remain what it has always been in our Nation, and that is the union of a man and a woman.

It is my hope the Massachusetts legislature will act today.

MEDICARE

Mr. FRIST. Mr. President, there is one final issue that also is current that I want to take the opportunity to comment on because it is likely to be an issue that will be of interest and debated, and one people will be addressing over the coming days while we are on our recess.

Last year, President Bush and a bipartisan team of Senators and Representatives made good on our promise to strengthen and expand and improve Medicare for America's seniors. The bill, the Medicare Modernization Act of 2003, represents the most significant improvement to Medicare in two generations. And now, because of this historic action, we are starting to see impressive results.

We said reform would strengthen the program and increase choice and flexibility for our seniors. That is exactly what is happening. Medicare now gives more seniors access to more prescription drugs at a lower out-of-pocket cost. It provides seniors relief from the high cost of prescription drugs, especially the 12 million low-income seniors who need the help the most.

The improvements to Medicare provide seniors with choice and control over their own health care plans. The new bill also protects seniors who already have prescription drug coverage they earned in the workplace.

Educating seniors about improvements to the Medicare program and the new Medicare drug benefit is the right thing to do. It is also required by law. The law says seniors have the right to know how the prescription drug benefit is going to work and when they can start taking advantage of the new improvements to the program, such as the drug discount card.

Unfortunately, some of my colleagues are attempting to subvert this legal obligation. They are blocking our legally required educational efforts. Why? Because they are trying to keep seniors from finding out their rights. They fear that the more seniors learn about the new Medicare benefits, the more seniors will like what they see.

Not only are the Medicare opponents trying to keep seniors in the dark about their Medicare rights, these opponents are disparaging the education effort itself. But try as they may, they will not keep the truth under wraps.

This is the ad they do not want you to see.

It reads:

First senior: So how is Medicare changing?

The announcer: It is the same Medicare you have always counted on, plus more benefits like prescription drug coverage.

Senior No. 2: Can I keep my Medicare just how it is?

The announcer responds: Yes, you can always keep your same Medicare coverage.

Senior No. 3: Will I save on my medicines?

Announcer: You can save with Medicare drug discount cards this June and save more with prescription drug coverage in 2006.

Senior 4: So my Medicare isn't different, it is just more?

Announcer: Right. And you can learn more, call 1-800-MEDICARE.

That is it. That is the Medicare ad opponents are doing everything possible to keep off the air. They don't want seniors to know they are eligible to receive prescription drug coverage under Medicare, nor do they want seniors to know that starting in June, seniors will be able to carry a drug discount card. The opponents don't even want seniors to know the number to call to ask for help. Instead, they are putting politics before people.

They will not succeed. We will not allow election year politics to hurt America's seniors and individuals with disabilities. We will make sure every senior, every individual with a disability gets the information they need to make the very best choices they can for their health and for their life.

ORDERS FOR MONDAY, FEBRUARY 23, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Monday, February 23; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and Senator BREAUX then be recognized to deliver George Washington's Farewell Address, as provided under the previous order; provided that upon the conclusion of the address, the Senate then resume debate on the motion to proceed to Calendar No. 429, S. 2061, the medical malpractice bill.

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

PROGRAM

Mr. FRIST. Mr. President, on Monday, February 23, following Senator BREAUX's reading of George Washington's Farewell Address, the Senate will resume consideration of the motion to proceed to Calendar No. 429, S. 2061, the medical malpractice bill. There will be no rollcall votes on Monday, but Senators are encouraged to come to the floor to debate this important bill. The next rollcall vote will occur on Tuesday, February 24. That vote will be on the motion to invoke cloture on the motion to proceed to S. 2061, and the vote will occur at 5 p.m. on Tuesday.

I, too, want to take this opportunity to thank Chairman INHOFE and Senator JEFFORDS for their hard work in moving the highway bill to conclusion. I also thank the Democratic leadership, working with our leadership, working with the managers of this bill to move forward. It has been a long 2 weeks. It has been a challenging 2 weeks. I know the managers were able to work with many Members to accommodate a large number of amendments.

I wish everyone a safe President's Day recess.