



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, THURSDAY, MAY 13, 2004

No. 67

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by guest Chaplain Dr. Kathryn Towne, of Lakewood, CO.

PRAYER

The guest Chaplain offered the following prayer:

Our great and mighty God, today I ask that You be present, O God of Wisdom, and direct the counsel of this Honorable assembly. Enable them to settle things on the best and purest foundation. Make them strong to do the work at hand and to heed Your will. They are empowered to serve the people of the United States. Enable them to do so with great assurance that You are directing them.

"Righteousness exalts a nation." May righteousness inspire every thought, word, and action of this Senate. Their task is great. Thank You for their diligence and long hours given in the endeavor to keep this Nation the greatest on Earth. Truly "Blessed is the nation whose God is the Lord." We are a blessed nation indeed. Thank You, Our Lord. In Your Name I pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 13, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, today following my remarks and any remarks from the Democratic leader, we will have a period of morning business for up to 60 minutes. The order provides for the first 30 minutes to be controlled by the minority and the second 30 minutes to be controlled by the majority.

Following the 60-minute period, we will resume consideration of S. 1248, the IDEA—Individuals with Disabilities Education Act—reauthorization bill. Yesterday we made very good progress on the bill and we now have an agreement to finish the bill early this afternoon.

We do have one final outstanding issue on paper reduction, and we should then vote on final passage of the bill. I anticipate passage will occur somewhere between 11:30 and 12:30 today.

I do want to congratulate both managers on their hard work on this very important piece of legislation. I thank them for allowing us to proceed through the legislation under a unanimous consent agreement.

Later today I will also be discussing Executive Calendar nominations with the Democratic leader. I hope to begin

scheduling consideration of those nominations, including the judicial nominees. We will have more to say on the nomination schedule later today.

Finally, I want to remind everyone that next week we will be considering the Department of Defense authorization bill. Senators can expect busy sessions throughout the week, including votes on Monday. That will be late Monday afternoon.

RECOGNITION OF THE ASSISTANT MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

Mr. REID. If I may make a comment to the majority leader, we have been told this morning Senator BINGAMAN will not offer a second-degree amendment to the Santorum amendment; therefore, the managers will accept the Santorum amendment. So I think all we have left on the IDEA bill is final passage.

Senator KENNEDY is the godfather to his niece or nephew—I really don't remember who it is—but Caroline's child was confirmed and he will not be able to be here until around 11:30 today, so the majority leader should keep that in mind. If we will vote 12:15 or 12:20, if that meets the majority leader's plans, Senator KENNEDY would like to speak before final passage, and, as I indicated, he will not be here until 11:30.

Mr. FRIST. Through the Chair, we are aware of Senator KENNEDY's plans and we will do everything we can to accommodate all Senators. We have a number of people who have engagements this morning and this afternoon, and we will do our best. I think that is consistent, having this vote in the hour we so designated.

PRISONER ABUSE SCANDAL

Mr. FRIST. Mr. President, I want to comment briefly on two other issues.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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One has to do with the event yesterday, which was very tough for many of us, and that was the opportunity to review the photos related to the prisoner abuse scandal.

I thank the Department of Defense for their responsiveness so as to give everyone in this body the opportunity to view those pictures. As has been said by so many, the photos are appalling and offensive to America's sense of humanity. Many of the images we saw were consistent with those that have already appeared in the press. They are pictures and images of abusive behavior. There were a lot of photos. Others do not show prisoner abuse but do expose the character of those under investigation.

The new material supports my belief that we must act swiftly and we must fully investigate the incidents of this prisoner abuse at Abu Ghraib prison to assure that justice is served. It is the mark of America, and that mark will be demonstrated by this swift justice. We must find out who is responsible for the abuses that occurred and hold them accountable. And indeed we will.

At the same time, we must all remember to separate this incident from the outstanding, remarkable work so many thousands and thousands and thousands of our brothers and sisters and men and women and children are carrying out in uniform right now in Iraq and indeed in Afghanistan and around the world. It is tremendous work, fighting for the liberty and the democracy we all cherish. It is truly disheartening to see that the actions of a few—a few—have really tarnished the reputations and professionalism of our Nation's Armed Forces. So let's never ever forget the tremendous work the men and women in uniform are doing for us right now, each and every day, and today.

I am pleased to learn Secretary of Defense Rumsfeld and General Myers have traveled to Baghdad to get a better sense of what is happening on the ground in Iraq and to ensure corrective actions are being taken to prevent such prisoner abuse from ever happening again. I think it is important that they are there to boost the morale of the thousands of American troops who are serving so nobly and courageously in Iraq. This is the right and proper thing for our Nation's senior defense civilian and senior military leader to be doing.

I do again want to assure our colleagues that the American people expect, and the Senate will deliver by having its committees of jurisdiction continue their inquiries into this matter and work diligently with the executive branch to ensure that justice prevails and that such acts never ever occur again.

HEALTH CARE

Mr. FRIST. Mr. President, on a final issue, I want to comment on an issue that is dear to my heart. It stems from the fact that if you have health insur-

ance in this country today you do better than if you don't. This week is a week that addresses the issues of the uninsured, both in this body, in the Congress, in the executive branch—indeed, all over the country.

Last October I appointed a task force on health care costs and the uninsured, and earlier this week the task force, led by our distinguished colleague, Senator JUDD GREGG, unveiled its recommendations. I thank Senator GREGG for his tremendous work and each of the team members for the work they put in, both studying this issue and then fashioning a plan and proposal in a document which helps all of us in this body understand but also gives us a direction to address this huge problem.

Helping the uninsured gain more access to affordable, quality health care is one of the most critical and the most complex and most fundamental challenges in domestic policy that face us today.

Under Senator GREGG's leadership, the task force has developed a detailed, pragmatic, and systematic way of addressing this issue.

They cast a wide net to gather input from a broad range of resources. Their recommendations offer a serious and substantial framework to tackle what to many people seems to be an intractable problem of uninsurance in America.

The first thing is so obvious when you look at what the task force presented. The uninsured is not just a single sector. It is not just a piece of pie on a pie chart. It is a very complex group. It is a diverse mix. They include the chronically uninsured poor, the working uninsured, college students, and other young, healthy adults who simply choose not to get health care insurance. That complexity explains why it is impossible to have a one-size-that-fits-all approach, and, thus, the task force has drafted distinct recommendations for each of these different cohorts.

America offers the best health care in the world. We have the very best trained physicians, the very best trained nurses, top researchers, top medical research, and topnotch medical research facilities in the country doing the very best research with vast numbers of new and improved medical technology and prescription drugs. But in spite of the very best of health care, we have these chasms, these huge gaps, with the uninsured.

We have worked hard to find definitive solutions in the past. But still the number of uninsured in this country continues to climb. Forty-three million people are uninsured. Of those, 21 million people are without insurance for a year or more.

We have this coupled or working in parallel with the spiraling upward health care costs. For the second straight year, health care spending grew significantly faster than the rate of growth of the gross domestic prod-

uct by a whopping \$1.6 trillion. The cost is caused by a whole range of factors.

We have improvements in technology, which we understand. We have frivolous lawsuits. Many doctors are having to conduct and practice defensive medicine where they overprescribe in terms of diagnostic tests, really just to protect themselves in the event there is an overly aggressive lawyer who is going to be going after them.

The liability insurance rates continue to rise. With these increased premiums, doctors pay as much as \$400,000 for liability insurance such as a neurosurgeon, even if he has never been sued before in the past. It ultimately simply has to get passed on to the system itself, and that drives up everybody's health care costs.

We have medical information gaps that cause costly insufficiencies today. A lot of times doctors don't have access to up-to-date information on patients who come into the emergency room because the record for that patient may be at another hospital or in another town or in the basement of that hospital.

We can address that by improving our information technology and investing appropriately in electronic medical records.

Individuals don't have the same tax advantages if they are out working by themselves than they do if they are working with a large company. That inequity of the individual market has consequences that affect the uninsured in a way that is detrimental. Health care is expensive for small companies today.

There are initiatives we can take in this body to address the fact that small companies' access is really disproportionate in providing health care, in part, because of the types of packages that are available to them and, in part, because of the tax treatment.

We have to find a way to address this escalating cost at the same time we are addressing the issue of the uninsured. The task force materials will be shared with our caucus, and hopefully a number of these issues will be addressed and debated and brought to the floor in the appropriate form so we can really accomplish reducing the number of uninsured in this country.

I close by once again thanking Senator GREGG and the members of the task force. Their recommendations are enlightening and they are promising. They give us a great template from which to operate as we go forward.

I am optimistic that by working together in this body we can produce good ideas, we can significantly increase the number of Americans covered, and we can keep health care in America moving forward.

RECOGNITION OF THE MINORITY LEADER

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