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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible, God only wise, great are the works of Your hands and of Your heart. Teach us to live to please You. As we labor, may our focus be on Your priorities and Your providence. During moments of confusion, help us to whisper a prayer for wisdom. Remind us to set our affection on the things above that will live beyond time into eternity.

Give our Senators and all who serve You on Capitol Hill the awareness of their accountability to You. Help us to remember that we are accountable for every idle word. Empower us to weigh our faults, to measure our words, and to labor in a way that will bring You pleasure. Increase Your presence in our lives and in this Chamber that Your power may be felt by all who need Your touch.

We pray today for those who mourn, particularly for the family of Bob Bean. Sustain them in their grief. We pray this in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning the first 90 minutes will be devoted

to a period of morning business, the first 45 minutes controlled by the minority leader or his designee, with the final 45 minutes controlled by the majority side of the aisle. Following morning business, we will consider S. 15, the bioshield bill. Last night we reached agreement to allow for up to 2 hours of debate and a vote on passage of this important piece of legislation. We have been working on bringing the bioshield bill to the Senate floor for quite some time. I am pleased we are finally able to vote on passage on this measure.

Following passage of Project Bioshield, we will resume consideration of the Department of Defense authorization. Pending is the Lautenberg amendment on sanctions. That amendment has been under review, and Members may well want to speak on that issue.

Yesterday Chairman WARNER indicated it was his desire to reach agreement for an amendment filing deadline. I hope that is possible. We should set a time certain for Senators to file their defense amendments to the bill so the two managers may begin to try to clear amendments on both sides of the aisle.

Finally, I remind everyone we will be scheduling votes on judicial nominations as we go forward, and rolcall votes will be anticipated throughout the day.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, I ask unanimous consent that the morning business period be extended until 11:30 this morning with the additional time equally divided; further, that at 11:30 the Senate begin S. 15 as under the order.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PRISONER ABUSE AT ABU GHRAIB

Mr. FRIST. Mr. President, very briefly, I want to comment on what has been a real focus for the Senate and our various committees; that is, the revelations of abuse at the Abu Ghraib prison in Iraq. It has been a shock to the Nation and indeed to the world. The photographs we reviewed last week are appalling to all of us. America is clearly outraged at the scandal, ashamed, as we all should be. But it all centers on the fact that a very few have tarnished the reputations and the honor of a great many people representing the United States of America.

That is why this body, the Senate, has and must continue to act swiftly and fully investigate, to the best of our ability, the incidents of abuse at the Abu Ghraib prison and hold accountable those responsible and take bold corrective actions where necessary to ensure that those incidents never occur again.

This body has acted in a quick and deliberate manner to get to the bottom of this matter. Over the past 2 weeks, we have had a series of hearings. There is a hearing going on in Armed Services now, the second day the Senate Armed Services Committee has held a meeting. The Intelligence Committee held their hearings. The Appropriations Committee has continued to hear from the Defense Department and other agencies on the matter. Our committees are working aggressively in terms of oversight, taking very appropriate action. We have received hours of testimony from administration officials and senior military officers. Members have had the opportunity to review the photos that depict some of the offensive acts.

This morning, for the last hour, the Armed Services Committee has been holding a hearing. The witnesses include General Abizaid, Commander of Central Command; Lieutenant General Sanchez, Commander of the coalition

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



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forces in Iraq; and Major General Miller, who is now in charge of the Abu Ghraib prison.

I mention all of this because we are aggressively investigating and the Defense Department is cooperating fully in these inquiries and has been responsive to all of our requests. I am confident the Defense Department is investigating this matter thoroughly, both within and its relationships to other agencies as well. I am confident they are taking actions to ensure these acts never occur again. This is all essential if we will be successful, which I know we can be, in bringing democracy and the rule of law to Iraq and restoring the respect and confidence many people have historically had in our military.

Last week Secretary Rumsfeld's trip with General Myers occurred. That was a very important trip. It was a boost to the morale of the thousands and thousands of Americans who are serving so nobly in Iraq, our men and women who are fighting for democracy and freedom. I commend the Secretary and General Myers for making the trip.

Secretary Rumsfeld has demonstrated tremendous leadership throughout the last several weeks and months and tremendous character in his presentations, helping us to understand what happened there so we can all take corrective action. I commend Secretary Rumsfeld for his tremendous leadership and courage in addressing this matter of prisoner abuse, but also his leadership in the global war on terrorism. He has been a superb Secretary of Defense who really deserves the thanks of a grateful Nation, and we are thankful for his leadership in these very difficult times.

While I know there are going to be many more difficult days ahead on the prisoner abuse scandal, I am confident the Senate will continue to do what is right and necessary to ensure that justice prevails and such terrible acts never happen again.

I yield the floor.

RECOGNITION OF THE DEMOCRATIC LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, first, I wish to indicate that I share much of the sentiment expressed by the distinguished majority leader about the importance of the oversight responsibilities that we hold to be very critical in this difficult and challenging time. I want to single out, in particular, the chairman of the Armed Services Committee for his valiant effort in trying to establish just what went wrong, why it went wrong, and how we can prevent it from occurring again. He has been criticized, in some cases, by members of his own party. I think that is very unfortunate. I think we have a role and that role ought not to be minimized at times of crises.

I think we ought to take these investigations where the facts lead us. I do

believe other committees ought to be involved as well, and in some cases they are.

I also compliment the distinguished chairman of the Foreign Relations Committee, Senator LUGAR, who always seems to be as engaged, in a constructive way, as anyone can be given his responsibilities. I think he ought to be recognized as well.

There is work that should be done on the Judiciary Committee, Governmental Affairs Committee, and other committees that I think have yet to pursue the responsibilities they have for oversight as fully and completely as perhaps they should. But certainly one would not have to look beyond the Armed Services Committee and Foreign Relations Committee for models. We can all be very proud and appreciative of the job they currently are doing.

WELLSTONE MENTAL HEALTH EQUITABLE TREATMENT ACT

Mr. DASCHLE. Mr. President, this past Saturday, thousands of people in Sioux Falls, SD, and 35 other cities across America, took part in walks to raise public awareness of mental health. The walks were sponsored by the National Alliance for the Mentally Ill.

In Sioux Falls, more than 300 people dodged rain showers to walk through Falls Park. They were different ages, with different backgrounds. But most shared at least one important distinction: They, or someone close to them, has a mental illness.

The same is true of nearly all Americans. A 1999 report by the Surgeon General found that more than 50 million Americans—one in five—suffer from mental illness each year. Many Members of this Senate—Republicans and Democrats—have spoken bravely and movingly about how mental illness has devastated their own parents, children or siblings.

No Senator who is with us today has demonstrated greater leadership on issues involving mental health than our distinguished colleague from New Mexico, Senator DOMENICI. He knows—from watching a daughter he loves very much struggle with schizophrenia—that mental illnesses don't affect just one person; they affect whole families.

Senator DOMENICI also knows about the stigma attached to mental illness, and the discrimination and suffering that people with mental health problems suffer as a result of that stigma.

Almost a decade ago, this proud conservative Republican found a proud liberal Democratic ally in the Senate. Like PETE DOMENICI, Paul Wellstone had seen someone he loved battle a serious mental illness. In Paul's case, it was his older brother. PETE DOMENICI and Paul Wellstone were an "odd couple." But they were fiercely united in their determination to end discrimination against people with mental illness.

In 1996—thanks to their leadership—Congress passed the Mental Health

Parity Act. The law—for the first time—prevented private health insurance plans that offer mental health coverage from setting annual or lifetime limits that are lower than those set for other illnesses. It was an important step forward. But it left a loophole. It allowed companies to set much higher deductibles and co-payments for mental health coverage. It also allowed insurers to set lower limits for outpatient visits or the number of days of inpatient treatment for mental illness. As a result, effective, affordable mental health treatment remains unaffordable for millions of Americans who need it.

The General Accounting Office estimates that nearly 90 percent of the Nation's health plans engage in legal discrimination based on mental health diagnoses. The results can be devastating: unemployment, broken homes, shattered lives, poverty, poor school performance—even suicide.

In 2000, Senator DOMENICI and Senator Wellstone introduced a new bill—the Mental Health Equitable Treatment Act—to close the loopholes. It is a modest proposal. It does not require employers to provide health insurance. It does not require employers that provide health insurance to offer mental health coverage. It simply says that, for employers that choose to offer mental health benefits, insurers cannot provide more restrictive coverage for mental health benefits than they do for other medical and surgical benefits.

In late Fall 2001, the Mental Health Equitable Treatment Act was unanimously added to the Senate version of the FY 2002 Labor HHS Appropriations bill. But it was stripped out of the final conference report at the insistence of the White House and the House Republican leadership.

More than two years ago, in April 2002, President Bush traveled to New Mexico with Senator DOMENICI and announced that he supports "full mental health parity." After listening to families talk about their mental health horror stories, the President said, "Americans with mental illness deserve our understanding and they deserve excellent care. They deserve a health care system that treats their illness with the same urgency as physical illness."

Months later, in late October 2002, Paul Wellstone died in a plane crash, along with his wife, Sheila, their daughter, Marcia, and four others. At a memorial service for them in Washington, Senator DOMENICI delivered a beautiful eulogy to his friend; he announced that he was renaming the bill "The Senator Paul Wellstone Mental Health Equitable Treatment Act," and vowed to pass it.

Despite having 69 Senate co-sponsors, more than a year-and-a-half after it was re-introduced in this Congress, the Wellstone bill—S. 486—remains stuck in the HELP Committee.

Wellstone Action, the grassroots organization frmed by Paul and Sheila