

There is new evidence—a lot of evidence—about who declares bankruptcy. Medical catastrophes: About half the people who file for bankruptcy file them because of medical emergencies. Also, extended military duty has caused havoc for people who are in the Guard and Reserve, in the State of Nevada especially.

Then, of course, we have the corporate bankruptcies of 2002 and 2003. We still have one of the criminal trials going on with Enron today. The chief executive officer of that company is testifying for the second day. WorldCom was another corporate bankruptcy that created a lot of attention. I believe it should change how we look at bankruptcy.

There are things that have occurred since we last took this piece of legislation up when it passed the Senate overwhelmingly, as I recall with 82 votes. Again, there have been medical emergencies, extended military duty, and corporate bankruptcies. These corporate bankruptcies have left employees without pensions.

Finally, we need to address the ongoing problem of violence. People are trying to say this is an abortion amendment. It is not an abortion amendment. It is about holding individuals who believe they are above the law accountable for their actions when they break the law in a number of instances. I invite everyone to read the amendment. For example, if people commit illegal acts in protest of a clinic that is engaged in lawful research on animals, then they need to be held accountable for their actions. They cannot simply discharge their debts through bankruptcy proceedings because they disagree with the law that they violated. The same holds true for individuals terrorizing reproductive health care clinics and doctors by engaging in violence. All we are saying is these people who commit these acts and break the law should not be able to discharge these debts in bankruptcy.

This amendment is not about abortion. It deals with a number of different scenarios where individuals who have broken the law try to discharge their debts through bankruptcy proceedings because they disagree with the law. So I hope people will look at these amendments on the merits of the amendments. People have tried to say this is an abortion amendment. It is not. I would hope people would look favorably on some of the amendments we offer dealing with corporate bankruptcies, dealing with pensions, dealing with medical catastrophes, and extended military duty.

We have the opportunity to have a good, sound, firm debate and send a bill to the House that takes into consideration the new matters that have appeared since we last passed this bill.

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.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for 1 hour, with the first 30 minutes under the control of the majority leader or his designee and the second 30 minutes under the control of the Democratic leader or his designee.

The Senator from Texas is recognized.

SOCIAL SECURITY

Mrs. HUTCHISON. Mr. President, I rise this morning to talk about the great leadership our President is providing in the area of Social Security.

When Social Security was created in 1935, the average lifespan of an American was about 64, and 54 percent of the workers in our country were expected to live to collect Social Security. So the system was sound and, of course, the actuarial table was sound.

So much has changed—all for the good—in our country. In fact, today our life expectancy is 79 plus for a woman and 74 plus for a man. Yet we know that is going to get better. People are going to live even longer than that and, furthermore, they are going to be healthy. They are going to be able to collect more than they invested in their Social Security.

Our President is looking at the facts. Our President is looking at the statements from the previous administration, President Clinton, who said: There is a red flag here and we better look at Social Security if we are going to start the process of determining what is the right thing to keep Social Security stable.

But it was before that that our President started seeing this looming crisis on the horizon. Today we know from the testimony of the Chairman of the Federal Reserve, Alan Greenspan, that in 2008, the baby boomers are going to start coming into the Social Security system. In 13 years, 2018, the Government will begin for the first time to pay out more than it is collecting. That means we are going to start seeing more encroachment on the deficit. By 2042, the fact is there will be an absolute bankruptcy.

By law today, what happens when that occurs, when bankruptcy is declared, benefits will automatically be cut without any further action of Congress or the President—drastic cuts, probably 25-percent cuts. So if we are

going to keep our promise to the people in the system today, to the people in the system 10 years from now, we are going to have to take action to preserve those benefits in a fiscally responsible way. If we are going to keep the promise to people who are 20, 25, 30, 35, we are going to have to do something that is innovative and creative, something that has been tried in other countries, and it has worked, and that is to allow our young people to set aside 2 or 3 percent of their 12 percent in a personal account that they can own themselves and control with investments that would be certified investments. What would be certified is something like a 401(k) offering, something like a total market index and a total bond index or a 50/50 total market/total bond index, something very conservative and proven through all the cycles of the stock market to be much better in return than anything someone could get in Social Security.

Young people overwhelmingly favor this option because they know they will be able to build up and get bigger checks, with less government responsibility, and they will be able to pass to their children what is left over in their accounts when they die so their children will have a nest egg to grow.

This is something the President wants Congress to do, and I am going to help him because I believe it is the right thing to do for our country, for the young people coming into our system, to make sure they have something better if they choose that option.

The important thing that has been missed in much of this debate is that personal accounts are an option. If someone wants to stay in the system exactly as it is now, they have that option. But if they want to go into the new system, which would allow them to take some part of their present tax and have a little more control and absolute ownership, they have it as an option. People 55, 60 will probably not do it, but a lot of people who are 50 and certainly people below 50 are going to look at that, and we will have a huge influx into that new option that will then allow a better future and an ownership that has never been allowed before.

Our President is taking the lead. We have a duty, as Congress, Republicans and Democrats together, to sit down with the President to discuss different plans. Maybe we can take something from this plan and something from that plan. Personally, I will not support raising taxes. I don't think we need to do it if we plan ahead. I will not support raising the limit on the salaries that are now taxed. That is unnecessary if we take steps now to start a transition process that will eventually take more of the burden off Government and make the Social Security system sound. But that is my opinion.

There are others on the other side of the aisle and on our side of the aisle who may have a different view. Some may favor a part of what the President

favors. Some may not. The important thing is that we recognize our President's leadership, that he is not saying: I am going to walk away from this. He is saying: I am going to do the right thing. And he is asking Congress to sit down with him. We owe him that because he is trying to do the right thing.

Secondly, it is irresponsible for any sitting Member of the Senate or the House of Representatives not to come to the table. Certainly we have disagreements, but all of us have the same goal. The goal is to save Social Security for future generations and to do it in the least expensive, most efficient, least obtrusive way we possibly can.

I am proud of the President's leadership. I am proud to support him in saying: Yes, we are going to do what is necessary now when it is less painful and less expensive.

I will now turn the rest of our time over to the distinguished Senator from Kansas. I note that he has just returned from Iraq. I think he just returned last night. I appreciate so much his coming to the Senate floor when I am sure he has jet lag. I know he has been through a trying time because like myself and others—we have been to Iraq. We know that it is a tough trip but certainly something worth doing for every sitting Member of Congress. You do learn so much about what our troops need, what they are facing. You want to pat them on the back and let them know how much America appreciates the efforts they are making.

I appreciate Senator BROWNBACK being here this morning. I appreciate very much his willingness to come to the floor and speak.

The PRESIDING OFFICER. The Senator from Kansas.

IRAQ

Mr. BROWNBACK. Mr. President, I thank my colleague from Texas for her kind comments. I ran into a number of great troops from Texas, from Ft. Hood, TX, and individuals from Texas who are doing a fabulous job, putting their lives on the line and showing the definition of courage and honor. Those guys go right into the face of the fire, and when the fire fight comes when the bullets are flying, they are running towards the fire. It was really a beautiful modern-day story of courage under fire and of doing the right thing.

That right thing is now yielding, in the last week, multiparty elections in Egypt. Mubarak has not stood for elections in 25, 30 years. It is going to do that. With a protest now taking place, the Lebanese Government has withdrawn and is asking Syria to withdraw and to allow democracy to flourish in Lebanon. Saudi Arabia had flawed local elections, but they at least had somewhat of an election.

I met with officials in Iraq who are now discussing how to maintain a balance of power and an open society. The policies in Iraq are yielding enormous fruit—still difficult, still very fragile,

but those soldiers who have put so much on the line are really changing the world. I thank my colleague from Texas for her support in that effort. What we are seeing taking place in that region is amazing.

Our troops are in harm's way. We continue to see the number of improvised explosive devices about the same as they have in the past, although our number of wounded troops has gone down in the last 2 weeks about 40 percent, which is encouraging. That also means, apparently, that more of the attacks are directed at the Iraqis. We saw yesterday the horrific tragedy, over 100 Iraqis killed in a massive car bomb, that clearly the insurgency, much of it commanded and controlled out of other countries—and Syria has complicity of allowing some of this operation to take place—has to be pressured against that. But we have to get at that command and control structure of the insurgency and break that to be able to stop some of this incredible carnage that is taking place, people being killed in a country that just seeks to be free, seeks to be an open, fair society. It is difficult. In the early stages of democracy there will be flaws and missteps, but it is really changing the face of the region.

I met with Prime Minister Allawi. I met with the head of the Kurdish group, and Shias, Dr. Joffee. Each is talking about bringing in the Sunnis, working together, creating an open society. I am concerned about the issue of the role of Islam in the constitution. That is clearly one of the key issues being negotiated.

SUDAN

Mr. BROWNBACK. Mr. President, I want to use most of my time to show some very graphic pictures of the face of genocide that is taking place in Darfur, Sudan. I wish I didn't need to do this. I wish the international community, particularly the United Nations, was acting so that something would take place to prevent this man-made genocide. But this genocide is occurring. It occurs while we are here today. It occurs in large numbers. Eric Reeves is probably the best documenter of Smith College. He estimates between 300,000 and 400,000 Darfurians have been killed in this genocide. I have been there. A number of Members have been there. Villages are being burned out by the Arab militia called Jingawit. The African Union has not been in power to put in a sufficient number of troops or with enough authority to act to be able to stop this horror.

What I am going to show on the floor are African Union monitors' pictures taken of people who have been killed and brutalized in western Sudan. They are graphic pictures. They are pictures of people who have been brutally killed in this genocide. My hope in showing this is that people will see the face of genocide and action will occur, specifi-

cally that the United Nations will take credible action. They have not. They have not taken credible economic action, political action, and they certainly haven't taken anything in the way of credible military action to stop this from occurring.

These pictures come courtesy of Nichol Kristof of the New York Times, who wrote a February 23 article in which some of these pictures appeared titled "The Secret Genocide Archive." In it, Kristof says: "These are just four pictures in a secret archive of thousands of photos and reports that document the genocide currently underway in Darfur. The materials were gathered by African Union monitors, who are about the only people able to travel widely in that part of the Sudan." He goes on to say, "The archive also includes an extraordinary document seized from a janjaweed official that apparently outlines genocidal policies. Dated last August, the document calls for the 'execution of all directives from the president of the republic' and is directed to regional commanders and security officials. 'Change the demography of Darfur and make it void of African tribes,' the document urges." I have yet to determine if that document has been verified, but understand that the State Department is analyzing it for authenticity, and certainly the actions taking place in Darfur today reflect those words.

Finally, Mr. Kristof writes, "I'm sorry for inflicting these horrific photos on you." Mr. Kristof, with all due respect, you need not apologize. It is the world community that needs to apologize for their complete inaction and indifference to this modern genocide.

Over 6 months ago the U.S. Congress declared genocide, followed shortly thereafter with a similar declaration by former Secretary of State Colin Powell. Failure to deem this genocide by the international community, which would force action, has led to death beyond measure and the threat of famine and disease that could wipe out many more thousands. Eric Reeves of Smith College reports, "evidence strongly suggests that total mortality in the Darfur region of western Sudan now exceeds 400,000 human beings since the outbreak of sustained conflict in February 2003." The widely reported official number of deaths, recorded only since last March, is 70,000 and nearly 2 million displaced.

To give you a frame of reference, the tsunami's death toll has been placed at around 200,000. We are talking here about 400,000 deaths in a man-made catastrophe—genocide—in Sudan.

I ask my colleagues, and particularly the international community and the U.N.—and Kofi Annan in particular—how many more thousands of deaths does it take?

Nichol Kristof provided me with additional pictures of the genocide in Sudan. I have these pictures for my colleagues to see, but due to their