

pay more in taxes. But that door was promptly slammed by the Republican leaders in Congress. No, they are not going to do that. That would benefit working people too much.

So we are back to the point where the Republicans do not have a plan to ensure the financial security of Social Security. They do have a plan to make it worse, to carve out resources, to redirect income from Social Security into a privatization plan.

Some people get excited when they hear privatization. They think: It is my money; I can do what I want with it. No. Here are the details. They are detailed in this proposal, very detailed. Wage earners can divert 4 percent, two-thirds of their contribution. They can divert it into government-chosen conservative, as the President says, index funds that will be managed by a company chosen by the government. You could not touch your money, could not borrow against it, like people in 401(k)s, or withdraw it early. The government would control the money until retirement, and then the government would compute a bill, and the bill would be how much your taxes would have earned in the Social Security trust fund plus inflation plus management fees, and they give you that bill.

If investments did not do well, the wage earners might end up writing a check to the Federal Government when they retired. No privatization account for them. Other people who did pretty well will see they have to pay that money back to the government, and then the government will say your Social Security benefits are really low. This is the President's so-called privatization plan. The government would force, force people retiring to buy an annuity, to bring their Social Security benefit for their predicted lifetime up to the predicted poverty level. It would force people to do that. What a boon for the private insurance industry. Of course, these would not be guaranteed by anybody. You buy one of those plans. That insurance company goes broke. Sorry, you just lost everything.

So instead of an assured benefit under Social Security, taxpayers would be purchasing a very expensive annuity that does not have survivor's benefits, is not indexed for inflation, unlike Social Security, but then very few people maybe, according to a Wall Street Journal article a couple of weeks ago, none of the people in all probability, but maybe a few would do even better, and they could keep that extra money.

So we would undermine the guaranteed benefit indexed for cost of living with survivor's and disabilities benefits for all working Americans so maybe a few could do better, but the insurance companies could do a lot better. The brokers who manage the accounts could do a lot better, but other people would be left in the cold.

And what about survivor and disabilities benefits? They cannot talk about

that, because it is impossible. You are 18 years old. You go into the so-called optional account. You save every penny you are allowed to invest. At 24, you are tragically hurt in an accident. You are not capable of working for the rest of your life, and you can withdraw your \$8,000 in your Social Security private account and live on that. No, you cannot.

We need to deal with disability benefits, survivor's benefits and financial problems of Social Security, and the President has not done that with his so-called privatization plan.

INCAPACITATED PERSONS LEGAL PROTECTION ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Florida (Mr. WELDON) is recognized during morning hour debates for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rise to speak on the legislation I have just introduced, the Incapacitated Persons Legal Protection Act, enrolled as H.R. 1151. This legislation's immediate intent is to deal with the issues surrounding Terry Schiavo.

I practiced medicine for 15 years prior to my election to the House of Representatives. I still see patients once a month, and I was involved in numerous cases involving situations like this.

Terry has been described in the press as being in a vegetative state, and I believe that she is not, absolutely that she is not. The correct term to describe Terry Schiavo is brain-damaged, severely brain-damaged, but you can see her on videos. Now the judge will not let people such as myself go in there to see her even though the family would like me to be able to examine her. But according to the family, she is the same way. She is responsive. She will look at you, attempt to vocalize. She will attempt to kiss her parents.

The judge in the case, Judge Greer, has tried to dismiss these obvious behaviors indicating that she does have a higher level of functioning and she should not be described as vegetative, as primitive reflexes. And I would assert as a physician that it is extremely dangerous to walk down that kind of a path, where you have somebody with mental retardation, disability or any type of brain injury and you start ascribing obvious human-like behavior on the part of these individuals as being primitive reflexes and that these people are expendable.

Terry is under a court order to withdraw food and water. This is unprecedented in our legal history. Previous cases that received national notoriety, like the Karen Ann Quinlan case, involved family and physicians mutually recognizing that this person did not have a chance of surviving and wanting to withdraw, in the case of the Quinlan

case, a respirator, and the court going along with it because the clinicians involved did not want to be prosecuted for manslaughter or murder.

In this case, there is a dispute. The husband wants to terminate food and water, and the family, in the form of the mother and father, vehemently being opposed to it.

The judge has stepped in, and I think he has made some clinical judgments that are not really founded in good clinical science. I am certain if doctors put an EEG on her, we would see extensive brain waves indicating activity in the visual cortex and in the speech centers, and she should not be defined as vegetative.

My bill, H.R. 1151, Incapacitated Persons Legal Protection Act, would simply extend to Terry Schiavo the same benefits currently afforded death row inmates, and she is under a death warrant, death by essential dehydration. It would allow her to receive legal representation, the same kind of legal representation that death row inmates receive. Currently, she does not have her own attorney. Her parents have an attorney. Her attorney has an attorney. Under this bill, she would get legal representation. It would allow for a more detailed review of the case.

As a clinician, she has gotten, to my knowledge, according to the family I have spoken to, no therapy since 1993. I know from having worked with stroke victims and therapists, you can sometimes give these people thicken liquids, and they are able to swallow. Evidently, Terry, prior to the termination of her therapy, was working with a speech therapist and was able to say a few words. She may be able to survive without a tube.

Another important point I want to make here, there was a \$1.56 million medical malpractice settlement that was provided for her care. Much of that has been spent on legal fees trying to end her life. This is not a case where the State is spending a lot of money. The resources are there to take care of her needs in the future. Her parents do not want to see her dying of starvation and thirst. I think it is fully appropriate for us to step in, for her to have a right, the same right a death row inmate gets, and to allow, hopefully, review in front of a Federal judge reviewing all of the facts in this case. When doctors really look at the facts, I think it is very, very hard to justify ending her life in such a way.

So I would encourage all of my colleagues to sign on and support the bill and, most importantly, for our leadership on both sides of the aisle to allow expedited review. If not, her tube is scheduled to come out March 18.

THE VALUES OF DEMOCRACY

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Ohio