

while those with closed economies grew by only .7, less than 1 percent.

Other studies have concluded that nations with relatively open trade regimes grew roughly twice as fast as those with relatively closed regimes. According to a recent report of Africa, East Asia, South Asia, and Latin America, were each to increase their share of world exports by just 1 percent, the resulting gains in income would lift 128 million people out of poverty. The \$70 billion that Africa alone would generate is approximately five times the amount it gets through aid and debt relief. If developing countries as a whole increase their share of world exports by just 5 percent, this would generate \$350 billion, seven times as much as they receive in aid.

It is important that we now, more than ever, provide the President trade promotion authority.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be allowed to speak in morning business.

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

#### PRESCRIPTION DRUGS

Mr. DURBIN. Mr. President, one of the issues that continues to haunt Americans is the whole question of the cost of prescription drugs. I have been troubled, as I have traveled across my State of Illinois, at the number of people I have met who are facing serious hardship trying to pay for their drugs.

There was a hearing in the city of Chicago where a lady came forward to tell a sad story of how once she had received her prescription drugs from her doctor, she realized the cost of the drugs were so much that on her fixed income under Social Security she could not take it. This lady was facing a particular hardship because she had received an organ transplant. If she failed to take the antirejection drugs, she stood the chance of dying or having even a worse medical condition.

Mr. President, do you know how she answered that particular dilemma? She moved into the basement of her children's home. She is living in the basement of her children's home so she does not have to pay for rent or utilities so she can have enough money to pay for the drugs to keep that new organ in her body that keeps her alive.

That is a tale of desperation which unfortunately highlights the challenge facing Congress as we need to find a way to make prescription drugs not only accessible but affordable.

There are many projected ideas out there and some of them are valuable and worth pursuing and some of them are certainly not. We have to keep in mind it is not just accessibility to the drugs, but it is also the price of the drugs, to say to someone, you have a right to buy the drugs, and we will help

you up to a certain extent, may be of little or no value if the price of the drugs is so high the person cannot afford it. That, unfortunately, is a reality.

Last year the cost of prescription drugs across America went up 16 percent.

Mr. President, try to imagine a program or even something in your home budget that you could deal with honestly with an annual increase in cost of 16 percent. So what we have tried to do on the Democratic side, as we address prescription drugs, is to go to the heart of the issue, to talk about the affordability of drugs, and to make certain the way we pay for these drugs is not at the expense of the people across America who need a helping hand.

Senator DEBBIE STABENOW of Michigan has been a leader on this issue. She held a press conference I attended last week and talked about a prescription drug approach which needs to be thoroughly considered. Right now across America pharmaceutical companies are buying ads on television, in magazines, and in newspapers talking about the importance of research for new drugs. Believe me, there is not a person in the Senate who does not agree with that.

We also know that many of these pharmaceutical companies are spending extraordinary amounts of money, in excess of their research budgets, for advertising. We see it every time we turn on the television, every time we open a magazine or a newspaper—full-page ads for new drugs. They show people dancing through a field of wildflowers and not sneezing, saying: Go to the doctor and ask for Claritin, or Clarinex, or Clarinet, or whatever happens to be the latest from Schering-Plough. When it comes to drugs such as Vioxx from Merck and other drugs, constantly we are bombarded with this information.

What Senator STABENOW has found is that pharmaceutical companies across America are spending two to three times as much on advertising as they are on research to find new drugs. Why should they be given a tax deduction for promotion, marketing, and advertising in excess of what they are spending for research? I do not think they should.

Frankly, I think we ought to call their bluff. If they tell us they need money for research, then for goodness' sake, put in it research. Give us the new drugs. Make the profits by giving us these kinds of blockbuster revelations of new drugs that can change our lives. But do not focus the money on advertising, promotion, and marketing when, frankly, all it does is create false need and false demand.

So as we consider the prescription drug challenge that faces us, let's be honest about the program we put together, that it is accessible and affordable, and let us also be honest about the source of the money. On the House side of the Rotunda, the Republicans have proposed a prescription drug bill

which is paid for by taking money from hospitals under Medicare and doctors across America. That is not the appropriate way to deal with it. We have to deal with it in an honest fashion so that the people of America are not shortchanged in terms of their health care.

I yield the floor.

#### TRADE PROMOTION AUTHORITY

Mrs. FEINSTEIN. Mr. President, I rise today to express my thanks to Senator BAUCUS and Senator GRASSLEY for accepting the Kennedy-Feinstein-Feingold amendment to trade promotion authority. Our amendment instructs our trade negotiators to respect the Declaration on the TRIPS Agreement and Public Health adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar.

This amendment is essential for the developing countries of the world as they confront public health crisis, such as the HIV/AIDS pandemic.

The Doha declaration simply recognizes the right of these countries to use practices such as "compulsory licensing" to gain access to affordable pharmaceutical drugs. These practices are fully consistent with international law, specifically the TRIPS agreement which is the presumptive legal standard for intellectual property rights.

Without these practices, the vast majority of HIV/AIDS patients in the developing world would not be able to afford the more expensive drugs from American pharmaceutical companies and, as a result, they would suffer and die.

The statistics compel us to action. HIV/AIDS is now the leading cause of death in sub-Saharan Africa. Worldwide, it is the fourth biggest killer. At the end of 2001, an estimated 40 million people globally were living with HIV/AIDS; there were 5 million new infections and 3 million deaths as a result of the disease. In the last twenty years, we have come a long way, but we are still losing because people are still dying.

Sub-Saharan Africa houses about 10 percent of the world's population but more than 70 percent of the worldwide total of infected people, 95 percent of all HIV/AIDS cases are of those living in developing countries.

An estimated 25.3 million people are living with HIV/AIDS in sub-Saharan Africa and 19.3 million Africans have died of AIDS, including 2.3 million last year. This has meant an increase to a cumulative total of 12.1 million AIDS orphans, which is expected to increase to 42 million by the year 2010. An estimated 600,000 African infants become infected with HIV each year through mother-to-child transmission, either at birth or through breast-feeding.

These statistics are what they are in spite of the tools we have to ease the situation.

The Kennedy-Feinstein-Feingold amendment is by no means the perfect

solution and there is a great deal of work yet to be done. But it is an important step for the United States to maintain a leadership role in the global effort against HIV/AIDS.

We should not punish countries of the developing world for using different tools to provide affordable treatment for their citizens who are suffering. We should be a partner and a leader in this effort.

Again, I thank the managers of this bill for accepting the amendment and I look forward to working with them again on this important international health issue.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### ANDEAN TRADE PREFERENCE EXPANSION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Baucus/Grassley amendment No. 3401, in the nature of a substitute.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota, Mr. WELLSTONE, is recognized to offer an amendment.

AMENDMENT NO. 3416 TO AMENDMENT NO. 3401

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 3416 to amendment No. 3401.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To include additional criteria for reviewing the impact of trade agreements on employment in the United States, and for other purposes)

Section 2102(c) is amended by striking paragraph (5) and inserting the following new paragraph:

“(5) review the impact of future trade agreements on United States employment, modeled after Executive Order 13141, taking into account the impact on job security, the level of compensation of new jobs and existing jobs, the displacement of employment, and the regional distribution of employment, utilizing experience from previous trade agreements and alternative models of employment analysis, report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance

of the Senate on such review, and make that report available to the public.”.

Mr. WELLSTONE. Mr. President, this amendment, which I offer to the fast-track portion of the substitute, will enable us to get a better and more accurate assessment of the true impact of trade agreements as they affect the job security of America's working families. In particular, what this amendment does is clarify the scope of the labor impact assessment called for in the underlying fast-track bill. What we say is that the full assessment should be an assessment on the impact of job security, the level of compensation of new jobs and existing jobs, the displacement of employees, and the regional distribution of employment.

Let me explain each of these one by one. First, the impact of the trade agreement. With this important impact statement being made available to Members of Congress, to the Finance Committee, to the Ways and Means Committee, and, more importantly, I would argue, to the public, it has an impact on job security. What we now know, on the basis of some very good work by economists, is that when one has a trade agreement and a company leaves, it is not only a question of whether or not there are now fewer jobs by definition in our own country; it is also a question of the overall impact trade deficits have on our economic performance in our country and what kinds of jobs are generated.

It is also true that when companies end up leaving and saying, listen, we are going to go to Juarez, or Taiwan, or wherever, because we can pay 50 cents an hour, or we can have children we can employ for 18 or 19 hours a day with pretty horrible child labor conditions, what also happens is that workers in our country are put in a really weak position vis-a-vis bargaining so that quite often they then settle for lower wages, less by way of health care coverage, and all the rest, because companies say, if they demand this, we are leaving.

What this amendment says is let us have really a good economic impact analysis and let us look also at the impact of these trade agreements on not only job security, which in and of itself is really important, but also the level of compensation, and then the whole question of displacement of employment and regional distribution. It could be and may be that Senators want to make an argument that over all these trade agreements benefit our economy in the aggregate and benefit our Nation as a whole.

I think that is always open for debate, and people of good faith can reach different conclusions about it, but what we also need to understand is what regions of the country are most devastated, what sectors of the economy are most devastated, and what happens to those industrial workers, be it textile workers in the South, be it steelworkers, be it taconite workers on the Iron Range of Minnesota.

What this amendment does is clarify. It also calls for an examination of previous trade agreements and says we ought to take into account a variety of different economic models: Let us look at NAFTA as it would affect future trade agreements, let us look at the different kinds of economic models we can employ to do the most rigorous assessment; and then, after we do these assessments, let us make sure this is made available to the public.

What we do not want is a whitewash analysis. What we do want is a real analysis so we can know what kind of impacts to expect from particular trade agreements.

I think it is actually an amendment that adds to the strength of the bill. My colleagues, Senator BAUCUS and Senator GRASSLEY, certainly have tried to move in this direction, and I appreciate their work. This builds on their work.

I would quote again the Swedish sociologist Gunnar Myrdal, who said ignorance is never random. My translation of that is: We do not know what we do not want to know.

All this amendment says is let us do a rigorous analysis of what the impact of these trade agreements is on the lives of many families we represent.

There can be no doubt about some of the adverse effects of so-called globalization and our trade relationships on jobs and job security in our country. In my home State of Minnesota, unfortunately, examples abound. The impact of the steel imports on the Range—other Senators from steel States, Democrats and Republicans, can present their own data—but as I look at the sort of import surge of semifinished slab steel and its impact on the taconite industry, all I have to do is look at 1,400 LTV workers now out of work.

In greater Minnesota, or in rural America, when someone has a job that pays \$50,000 to \$60,000 a year, with good health care benefits, it is not at all clear what happens to those families. Those jobs are hard to find. They are hard to find outside metro areas.

The most poignant thing of all is that not only have these workers lost their jobs but now, depending upon their seniority, after 6 months, a year, they are losing their health care benefits as well.

Tomorrow there will be an amendment offered by Senator ROCKEFELLER, Senator MIKULSKI, and myself, and what is especially poignant about this is that these retirees who have worked hard all their lives now find, as these companies declare bankruptcy, that these companies walk away from retiree health care benefits. They are terrified about what they will do now.

We are very hopeful we will get strong support on the Senate floor tomorrow for an amendment that at least will provide a 1-year bridge at minimal cost toward maintaining coverage for the retirees. Then, of course, we have to come to terms with what we