

Yes, I am opposed to this legislation. It doesn't solve the problem. It is politics in its rawest, in its most crass form. You are preying on retirees who desperately need health care. You are playing politics with their health. It is wrong. It is not the right course.

We had a chance to do the right thing for the industry, for workers, and for retirees, and because of politics, under ANWR, the answer was no. Now we play politics again, and we play with people's lives. The answer should be no.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, as one of the Senators representing the steelworkers in the upper peninsula and throughout Michigan, I wish to indicate, contrary to my colleague who just spoke, that I can't think of a more appropriate place to talk about helping steel retirees who have lost their health insurance, those who have lost and will lose their jobs because of unfair competition, unfair steel dumping, unfair trade practices, than to debate it and attempt to fix it on a trade bill. I hope my colleagues will support standing up for our steel retirees on the trade bill.

#### PRESCRIPTION DRUG PRICES

Ms. STABENOW. Madam President, I rise to speak about one of the most important issues affecting our families, seniors, the business community, every part of our economy. That is the explosion in the cost of prescription drugs. Prices are skyrocketing, and too many of our seniors who use the majority of prescriptions—our seniors on average are using 18 different prescriptions in a year—find themselves in a situation that is absolutely untenable. We have heard these stories over and over again.

On this side of the aisle, we have two ideas we are putting forward. First, we have to have an updated Medicare to cover prescription drugs. We have to do it in a way that is comprehensive and helps our seniors. I call upon my colleagues from the other side and in the House of Representatives to join us in real prescription drug coverage.

Secondly, we know we have to lower the price. Prices need to go down for everyone. When I talk to our small business community, I talk to farmers in the State of Michigan, I talk to the big three automakers, wherever I am in Michigan talking about the cost of doing business, everyone wants to talk about health care. They understand that the explosion in their health care premium is because of the uncontrollable cost of prescription drugs.

I have been putting forward, and have met with a number of my colleagues, four different ideas. I will speak specifically about a bill we are now introducing that we talked about yesterday with colleagues. There are four different ideas we have been promoting. If we did those things, prices

would go down. Prices would go down immediately. Even as we know any kind of comprehensive Medicare prescription drug benefit will take time to phase in, there are things we can do now.

The American people, who subsidize the research, who underwrite the cost for tax credits and deductions for the development of these drugs, deserve to see something happen now.

First is to make sure the generic laws work. I commend my colleagues, Senators SCHUMER and MCCAIN, for their continuing efforts. We have a bill that will close loopholes, that will stop the ability of the drug companies to be able to manipulate the law so that lower priced generics are precluded from the market. We know if that were to pass, we could see a tremendous drop in prices. We know if we opened the border to Canada so that we could in fact see not only individuals but businesses and hospitals and pharmacies developing business relationships across the border to bring back American-made, safe, FDA-approved drugs, we could drop prices almost in half.

I find it ironic, as we are in the middle of a discussion on a trade bill, that the only things you cannot take back and forth across the border from the great State of Michigan into Canada are American-made prescription drugs. So we need to open the border. I welcome colleagues joining us to do that. We could drop prices tomorrow 40 to 50 percent if we did that.

Thirdly, we know that since the FDA changed their rules on advertising, direct consumer advertising, starting back in the mid-1990s, there has been an explosion of excessive advertising. While companies say they spend more on research than advertising, there is great evidence to the contrary. So we have introduced legislation to say simply that you can write off as much advertising and marketing expenses on your taxes, that taxpayers will subsidize advertising and marketing to the same level we subsidize research—the same level. If you want to do more advertising, do more research, because taxpayers want to see the research done.

Then, finally, I joined with my colleagues, Senators DURBIN, LEAHY, LEVIN, BOXER, DORGAN, and others to introduce legislation to give States the flexibility to set up programs to pass a law on Medicaid discounts to their citizens who don't have prescription drug coverage and are not eligible for Medicaid.

There are 30 States that have enacted some kind of a law to help citizens with prescription drug coverage. Unfortunately, we have seen the drugmakers trade association, PhRMA, mounting legal challenges to a number of States that have attempted to lower prices for their citizens. They have fought these efforts. I am specifically referring to lawsuits against Maine and Vermont because the drug lobby doesn't want

them to extend the Medicaid discount—the price that is paid for Medicaid—to those who are not Medicaid recipients but need help, who don't have prescription drug coverage. So we have introduced the Rx Flexibility for States Act. We are calling it the Rx Flex Program. It will simply say that what is being done in States, what is innovative, in our attempts to reach out and use the purchasing power of the States under Medicaid to provide additional price reductions to those who don't have insurance, who are not on Medicaid—that those are legal.

We have heard colleagues on both sides of the aisle, both sides of this great Capitol Building, talk about the States as being the place for flexibility, creativity, and new ideas. Well, this legislation says we are going to remove the legal hurdles that are preventing States from providing lower priced prescription drugs to all of their citizens.

Right now, we have States that are spending millions of dollars fighting suits from the drug companies because the companies fight everything that is attempted that would lower prices for our citizens.

This legislation specifically would indicate that those States that are using the clout of Medicaid purchasing power to expand to allow that same price to be given to those without prescription drug coverage, who are in need of prescription drug help in their States, would be able to do that. Right now, the lawsuits have been filed. We know that while Maine's program has been upheld in court, Vermont's program was not, and both States are embroiled in very lengthy appeals processes.

I am very hopeful that as we are working to put together a very strong, effective Medicare prescription drug program, we can also pass this legislation to reinforce that States, on their own, can proceed to do what is necessary to make sure their citizens have access to lower priced prescription drugs and that we will pass those other measures we have been talking about that will allow us to lower prices, create more competition across the border, get a better balance between advertising and marketing expenses and research, and that we will be able to create a system where we in America not only create the best drugs, the new lifesaving medications, where we don't only subsidize and underwrite and fund the research through the National Institutes of Health, and other mechanisms, but our people can actually get those drugs.

Right now, it is not a good deal when we are the ones who are creating, supporting, and subsidizing the creation of these medications. Seniors will sit down this morning, this noon, and tonight and decide: Do I eat, pay the electric bill, pay my rent, or can I get my medicine this week?

We can do better. I am committed to doing better. Colleagues of mine are committed to doing better. We want a

prescription drug benefit. We want to lower prices. There are ways to do it. We can do it now. I ask my colleagues to join with us in this effort.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### GERALD B.H. SOLOMON FREEDOM CONSOLIDATION ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3167. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3167) to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Madam President, I ask unanimous consent that the Senator from Wisconsin, Mr. FEINGOLD, be added as a cosponsor of S. 1572.

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

Mr. LUGAR. As I understand the parliamentary situation, time is controlled by Senator BIDEN and myself for half of the time remaining until 10:30, and Senator WARNER of Virginia controls the other half; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LUGAR. Would that be approximately 12 minutes each at this point?

The PRESIDING OFFICER. It is 11 minutes each.

Mr. LUGAR. Madam President, last evening in the debate, we had a good discussion of the need for the Senate to affirm through this action today that NATO should be expanded as a general principle. We also established that there ought to be very careful criteria for that expansion and examination of each of the candidates, as opposed to a done deal at the end of the trail, in which the Senate then receives a treaty without that careful examination country by country.

I have appreciated the colloquy with the Senator from Virginia, Senator BIDEN, and myself in which I think we established both of those facts—the desirability for a more robust NATO, and that would include more members, likewise—members that in fact carry their weight. As the Senator from Virginia pointed out, Americans may be involved in an article 5 declaration to defend those countries that would come in. In addition, we would anticipate that they would defend us.

Madam President, I point out that we are having this debate at this point very largely because the President of the United States has asked us to have it. Likewise, we have received correspondence from the Secretary of

State and the Secretary of Defense pointing out how imperative it is that we take this action to affirm that the United States stands solidly in terms of expansion of NATO and the careful consideration of its membership.

The act we discuss today also has money for seven candidates, on the presumption that these are serious candidates, that this money will make a difference in terms of training, interoperability of equipment, the general proposition as partners for peace. These nations have demonstrated great interest in the alliance and therefore deserve our help.

We pointed out last evening, in fact, the money was appropriated last December—the money is out there. This is the authorization of the money. Some have asked, is the authorization following too far behind? Our response is, no, if we take action.

This is why the President wants this action prior to his taking a very important trip to the summit with President Putin in Russia next week.

Madam President, I hope that today we will join in support of the Freedom Consolidation Act of 2001 because this bill provides assistance to the nations, as I mentioned. It gives us an opportunity for Congress to affirm our solidarity with our allies and our confidence in the future of the alliance.

I point out that our own President, George Bush, gave an important speech last year in Warsaw in which he said:

All of Europe's new democracies from the Baltic to the Black Sea and all that lie between should have the same chance for security and freedom.

He went on to say he believed "in NATO membership for all of Europe's democracies that seek it and are ready to share the responsibility that NATO brings."

The cold war may be over, but the security and welfare of America and Europe are very closely linked, and our common goal must continue to be the building of a Europe which is whole and free.

I mentioned in the debate last evening my own visits last September to the three Baltic States—Latvia, Estonia, Lithuania—and Romania, and Bulgaria to visit with leadership about the specific criteria. That visit has been replicated by other Senators, most recently by our Ambassador to NATO, Mr. Burns, who has laid out a very concrete plan for each of those nations to affirm their interest and to give us a basis to judge that interest.

I finally point out that NATO is a truly remarkable institution because its members have joined together to assure that the ideals we share—we have a collective, moral, and military strength—are enhanced in the world at a time of the war on terrorism, at a time in which literally the dispute as to whether out of area or out of business has gone by the boards.

The war is out of area, by definition. The threats are all over the world. The need for flexibility and for more of us

to be involved is apparent. As President Bush pointed out, that means filling in the geography of Europe—Romania and Bulgaria and the southeast part—which is so important as a link not only to Greece and Turkey, our allies, but to the Middle East. The Baltic States were altogether mischaracterized by the former Soviet Union. They were always independent. We reaffirm that is the case. We see this as a cardinal principle of this legislation.

Finally, I point out that NATO is the alliance that places us in Europe. We are not a part of the European Union. We are a part of the transatlantic military alliance with headquarters in Brussels, with an American who has been in charge for many years. It is tremendously important. We appreciate Europe, and NATO is the major way in which we indicate that appreciation and participation.

The question now is, Should we expand that to countries that have taken on democracy, have taken on defense responsibilities, have shown through the Partnership for Peace their eagerness and their willingness to be with us?

My answer is in the affirmative, and I hope the Senate will vote overwhelmingly in favor of this action today that our President be fortified as he proceeds into important diplomacy.

Madam President, I yield the floor.

Mr. WARNER. Madam President, I yield to our distinguished colleague from Texas 5 minutes.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank the Chair, and I thank the Senator from Virginia.

It is very important for the United States and Europe to have the kind of alliance that NATO has been. It has been the greatest defensive alliance in the history of the world, but I feel as if I am experiencing *deja vu* all over again.

The Senate is once again considering a measure to endorse the expansion of NATO without having satisfactorily addressed any of the same questions that loomed over the alliance 4 years ago when we made the first recent expansion.

In April of 1998, this body voted to expand NATO without articulating a rationale for NATO in the post-cold-war era, without calculating a reliable estimate of the cost of the expansion, without establishing an interalliance dispute resolution process, without evaluating the militaries of the respective candidates to see what they offered and where their problems were, and without determining how the alliance can effectively coordinate military action amongst an even larger and more unwieldy membership.

Here we are in 2002 with the same questions unanswered, and yet we are on the cusp of enlarging again. I have never thought that any of my concerns about the structure and purpose of NATO should be directed at any one