

cosponsor, which will provide a voluntary comprehensive Medicare prescription drug benefit. This is long overdue.

I also rise today to express great concern about what is being done in the House of Representatives. We know that in the end we need to come together with a bipartisan bill. We welcome that and want to work with our colleagues, but it has to be something real, it has to be something that provides more than 20 percent of the cost of prescription drugs—only 20 percent help—leaving our seniors to pay 80 percent and, in some cases more, for their prescriptions. It is just not good enough.

I wish to share some portions of a letter I received yesterday from the Kroger Company of Michigan that was written to me concerning the legislation that is being drafted and passed by our Republican colleagues in the House. It says:

Dear Senator Stabenow: As president of the Michigan Kroger stores, I am writing to advise you that our stores oppose the Thomas-Tauzin medicare bill.

The Republican bill in the House.

Passage of this bill will hurt Michigan senior citizens by confining their freedom in choosing generic over brand name medications and restricting their pharmacy choices. Furthermore, the viability of community pharmacies is of significant concern, especially in rural areas where inadequate reimbursement rates could force many community pharmacies out of business, further restricting seniors' choices.

There is great concern not only from the senior groups, those that represent consumers in our country. I appreciate the president of Kroger expressing great concern about this as well. We can do better. The question is, To whom are we going to listen?

I am asking, as are my colleagues, that we listen to not only seniors but businessowners and others who are experiencing an explosion in the prices of prescription drugs, and that we act and do so now. It is long overdue.

A few weeks ago, I invited people to come to my Web site. We have set up the prescription drug people's lobby in Michigan. We are tying it to a Web site that has been set up nationally, fairdrugprices.org, and I have been asking people to share their concerns, their experiences with the high prescription drug prices we are seeing across the country.

Once again, I wish to share a story from one of those citizens in Michigan who has signed up to be a part of our prescription drug people's lobby.

This is from Molly A. Moons, who is 44 years old in Pontiac, MI. She says:

Senior citizens are not the only people suffering from the high cost of prescription drugs. I am the sole employee of a small business and not eligible for any health care plans that cover the cost of prescription drugs. I have four prescriptions that need filling each month, and the cost is in excess of \$300 a month—a real financial burden. At the invitation of some senior citizen friends, I was invited to take a "drug run" to Canada.

Mr. President, a number of us have done this to demonstrate the differences in prices.

These ladies were all widows/retirees on fixed incomes that were having trouble paying for their medications, so I joined them to buy our prescriptions in Canada.

. . . I am able to get a 3-month supply of medication for what it costs me for a 1-month supply in the United States.

A 3-month supply in Canada for a 1-month supply in the United States.

I find that shameful.

While I believe that everyone has a right to make a profitable living, the gouging of the pharmaceutical companies is sickening. Additionally, the loopholes that these companies use to keep drugs from generic manufacturers are also criminal. Please help make this stop.

I thank Molly Moons for sharing her story as a small businessowner and sharing her concern about the senior citizens who were on that bus going to Canada. Shame on us. She is right, "I find it shameful," and it is shameful. We are saying we can do something about it. We can do something about it by passing the Graham-Miller-Kennedy bill that will provide a comprehensive Medicare prescription drug benefit, and we can further do it by passing other legislation to lower prices through expanded use of generics, opening the border to Canada and other policies that will lower prices. We can do that, and we need to do that.

Why has this not been done? Why has this not happened? We have been talking about it. I talked about it as a Member of the House of Representatives. We tried to pass something then. Colleagues of mine have talked about it. Presidential candidates have talked about it. As the Senator from Georgia said earlier, it is time to stop talking about it and get something done.

Why has that not happened? Unfortunately, we have seen too much influence and too many voices trying to stop this, and not enough of the people's voice in this process, which is what we are trying to do right now.

We have a Web site that I have invited people to go to that is called fairdrugprices.org. We are inviting people to sign a petition to urge Congress to act right now, to urge Congress to pass a comprehensive Medicare prescription drug benefit, and to pass other efforts to lower prices. We urge people to go to this Web site and share their story. We will share those stories on the floor of the Senate.

Why is that important? It is important because, according to our numbers, there are about six drug company lobbyists for every Member of the Senate. Their voice is being heard. This is about making the people's voice heard through their Representatives and their Senators.

Unfortunately, there are other ways in which voices are heard. I found it unfortunate that yesterday, while in the midst of debating a Medicare bill, which has been viewed by colleagues and quoted in the paper from House Republican staff as being a bill they are

very concerned about having reflect the needs of the drug companies, but at the same time we do not have the concerns of our seniors and our families being voiced as a part of that process, that last evening there was a major fundraiser. Our colleagues on the other side of the aisle and the House of Representatives had a major Republican fundraiser and we saw a number of pharmaceutical companies playing a major role.

We saw Glaxo Smith Klein, according to the newspaper, contributing about \$250,000 to that fundraising effort; PHRMA, which is the trade organization for the companies, contributing about \$250,000 to that fundraiser; Pfizer, about \$100,000, and other companies as well. So there are those that are not only here as lobbyists but contributing dollars to fundraisers, certainly wanting to make their voice heard.

The PRESIDING OFFICER (Mr. MILLER). The Senator's time has expired.

Ms. STABENOW. Mr. President, I ask unanimous consent for 2 additional minutes.

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

Ms. STABENOW. In conclusion, we know the lobbyists' voices are heard on this issue, the drug companies' voices are heard in a multitude of ways. Now is the time for the people's voice to be heard on this subject, and I urge those who are watching today to get involved through fairdrugprices.org, by showing support for a bill that will be brought up in July and will be voted on in this Senate to provide real help for seniors and those with disabilities in our country.

We will bring forward other legislation to lower prices for everyone, for the small businessowner, the manufacturer in Michigan, the farmer, those who are paying high prices through their insurance premium or at the pharmaceutical counter. The time has come to act. We know what to do. Now it is time to do it.

The PRESIDING OFFICER. The Senator from Pennsylvania.

ORDER OF PROCEDURE

Mr. SPECTER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his point.

Mr. SPECTER. Is it correct that there is now 30 minutes for the Republicans, with an allocation of 15 minutes to my control?

The PRESIDING OFFICER. There are 27 minutes, of which the Senator has 15.

Mr. MURKOWSKI. May I rise for a question relative to the allocation?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. What is the allocation of time following the Senator from Pennsylvania? Does the Senator from Alaska have morning business reserved for 15 minutes?

The PRESIDING OFFICER. The Senator does not have time reserved but there will be 12 minutes remaining.

Mr. MURKOWSKI. I ask to be recognized after Senator SPECTER. I ask unanimous consent for the remaining time. I do not intend to take all the 12 minutes.

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

The Senator from Pennsylvania.

THE PIECES TO THE PUZZLE

Mr. SPECTER. Mr. President, I thank the Chair for that clarification. I have sought recognition this morning to express my concern that the legislation submitted by the President for homeland security submitted two days ago to the Congress does not meet the critical need for collection and analysis of intelligence information in one place.

Each day there are new disclosures of key information, information which was known prior to September 11, 2001. If it had been activated and put together with other information, this might well have prevented the September 11 attack.

This morning's Washington Post has as its major story, in the upper right-hand corner, "NSA Intercepts On Eve of 9/11 Sent a Warning." The first sentence reads:

The National Security Agency intercepted two messages on the eve of the September 11 attacks on the World Trade Center and the Pentagon warning that something was going to happen the next day.

If that information had been put together with other information which was in the files of Federal intelligence agencies but not focused on, there would have been, I think, an emerging picture providing a warning, not just connecting dots, but a picture which was pretty obvious when all of the pieces were put together.

The FBI had the now-famous Phoenix report, which had been submitted in July 2001 by the Phoenix office, telling about aeronautical training to people with backgrounds which indicated potential terrorist leanings, aeronautical students with a large picture of Osama bin Laden in their room and a background which would have supported the inference that those students in training might well have been put up to something. If that had been put together with the confession that was obtained by a Pakistani terrorist known as Abdul Hakim Murad in 1996, who had connections with al-Qaida, when he told of plans to attack the CIA headquarters in Washington by plane and to fly into the White House, there might have been a pretty sharp focus, especially if linked to the information which had been developed by the FBI field office in Minneapolis, that there was a man named Zacarias Moussaoui, who had terrorist connections to al-Qaida, and that plans were being developed and that he was actually to be the twentieth hijacker.

That information never came to full fruition because of a failure of the Federal Bureau of Investigation to move the matter forward for a warrant under the Foreign Intelligence Surveillance Act.

The Judiciary Committee heard testimony from special agent Coleen Rowley about the difficulties of dealing with the FBI, which requires a standard not in accordance with the law, 51 percent, more probable than not where the standard of a warrant does not require that. Had Moussaoui's computer been examined, it would have provided a virtual blueprint for what was about to happen.

These are very glaring and fundamental defects in our intelligence system. They have existed for a very long time. We have had a situation where the Director of Central Intelligence, who is supposed to be in charge of all intelligence, does not have key components of the intelligence apparatus under his wing. For example, he does not have access to the National Reconnaissance Office. He does not have unfettered access to the National Security Agency, the National Imagery and Mapping Agency, and certain special Navy units. This is a deficiency which has gone on for a long time.

When I chaired the Senate Intelligence Committee during the 104th Congress, I introduced Senate bill 1718. That bill was designed to correct the deficiency that the Director of the Central Intelligence Agency, who nominally and in the public view had access to all of the intelligence information, but, in fact, did not have it. My bill, S. 1718, is only one of many efforts which are currently underway, efforts which are currently under consideration by the White House. However, there is strong opposition by the Department of Defense and opposition by others. I am not characterizing it necessarily as a turf battle. It is a battle which has its origin in the concerns of some in the Department of Defense that the Department of Defense has the responsibility to fight a war and needs access to all of these intelligence matters; that is unique control.

The reality is that a structure can be worked out so the Department of Defense is not deprived of access to any of this information in time of war or at any time. However, the Director of Central Intelligence ought to have it in one coordinated place.

Now, when you create a Department of Homeland Security, it is obviously very difficult to touch upon matters on the broader picture. That is something that must be done and which must be addressed. When this matter was considered, I raised some of these issues in a meeting which Senators had with the White House Chief of Staff Andrew Card and Homeland Security Advisor, Governor Ridge. Recently, there have been additional meetings at the staff level, working together with the White House staff extensively, one of which was last Friday afternoon. During that

meeting, my staff made a specific proposal that on the Department of Homeland Security, there should be a repository in one place to gather all of this information. The suggestion which we submitted was that there should be a national terrorism assessment center, a concept developed by someone who is very experienced in intelligence affairs, Charles Battaglia, who spent years in the CIA, as well as the Navy, and who served as majority staff director for the Intelligence Committee during my tenure as chairman during the 104th Congress.

The Battaglia proposal to establish a national terrorism assessment center, in my opinion, goes right to the mark. It would be staffed by analysts who would come from the FBI, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Reconnaissance Office, and a listing of other Federal agencies, including the State Department's Bureau of Intelligence and Research, which would have access to all of this information.

The bill, which was submitted by the President two days ago to establish the Department of Homeland Security, I say respectfully, does not meet this core critical ingredient. For example, referring to intelligence staff, the President's proposal provides at section 201: The Secretary may obtain such material by request.

Mr. President, that is hardly the authority that the Secretary of Homeland Defense needs to do his job. If he has to ask somebody in Washington, DC, for something, it is an enormous uncertainty as to whether he will get it. In fact, it is more probable than not that he will not get it. There is a long trail around here to get information from anyone. I have seen that in detail in my time trying to conduct oversight on the FBI or in conducting oversight when I chaired the Intelligence Committee. That information just is not forthcoming.

The President's bill further provides that the Secretary may enter into "cooperative arrangements with other executive agencies to share such material." Whether or not there will be such arrangements entered into, and whether the other executive agencies will be agreeable to that, is highly uncertain.

The time has long since passed to leave it to the discretion of a large variety of the Federal bureaucrats as to what they will do on intelligence. The time has come for the Congress of the United States in legislation signed by the President to establish central authority in one place, under one roof, to collect all the information which is available. To do any less is dereliction of our duty. That has not been done. The intelligence community has been stumbling along. America stumbled into September 11 because this Congress had not undertaken the approach with the strength to resolve all of these jurisdictional disputes and see to