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## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 4, 2002, at 2 p.m.

## Senate

MONDAY, JULY 29, 2002

The Senate met at 4 p.m. and was called to order by the Honorable MARK DAYTON, a Senator from the State of Minnesota.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, righteous, holy Judge of us all, every word we speak and action we take is heard and seen by You. Remind us that You bless those who humble themselves and put their trust in You completely. There is no limit to what You will do for a nation and its leaders if You are glorified as Sovereign.

May the knowledge of Your blessings to our Nation bring us to a deeper commitment to You. We want our motto: "In God we trust" to be more than a familiar phrase. You have told us,

*Where there is no vision, the people perish.—(Proverbs 29:18).*

And we remember Thomas Jefferson's warning: "God who gave us life, gave us liberty. Can the liberties of a Nation be secure when we have removed a conviction that these liberties are gifts of God?" With these words ringing in our souls, grant the Senators and all of us who work with them the courage to reaffirm You as Lord to whom we are responsible for the moral, spiritual, and cultural life of America.

Thank You for the miraculous recovery of the nine miners at Quecreek, Pennsylvania. Thank You for being on time and in time for all our needs. You are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK DAYTON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 29, 2002.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK DAYTON, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. DAYTON thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

### SCHEDULE

Mr. REID. Mr. President, the Chair will announce, very shortly, that the Senate will be in a period of morning business that will extend until 5:30 p.m. today. The time will be divided between the two leaders or their designees.

At 5:30, we are going to have three votes: Julia Smith Gibbons to be United States Circuit Judge for the Sixth Circuit, Joy Flowers Conti to be United States District Judge for the Western District of Pennsylvania, and John E. Jones III to be United States District Judge for the Middle District of Pennsylvania.

Mr. President, we have a busy week before the August break. The House, as the Presiding Officer knows, is out of session. We hope to complete consideration of the prescription drug bill, DOD appropriations, which by order we must take up by Wednesday, the fast track conference report, and we have a lot of executive nominations. And, of course, we also hope to begin consideration of the homeland defense legislation. We have a lot to do with a little bit of time to do it.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time to be equally divided and controlled by the two leaders.

The Senator from Nevada.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. REID. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, we are in morning business, so I yield myself such time as I may consume.

The ACTING PRESIDENT pro tempore. The Senator, under the order, has up to 10 minutes.

#### PRESCRIPTION DRUG COVERAGE

Mr. GRASSLEY. Mr. President, for the third time in as many weeks, Senator GRAHAM and some of his Democrat colleagues have announced a mostly partisan Medicare prescription drug plan.

When it comes to prescription drug plans, it seems like Senator GRAHAM and his friends have tried everything.

They tried sunsets. They tried fixed copayments. They even tried limiting coverage for many brand name drugs seniors rely on. They tried spending \$800 billion. They tried spending \$600 billion. Each time they tried, they failed.

Today, to the tune of \$400 billion, they're trying something else entirely.

Despite their earlier calls for a universal, comprehensive benefit, Senator GRAHAM and his Democrat colleagues are trying to cut out the bulk of seniors altogether by covering only those with low incomes and extremely high drug costs.

This proposal is the same as the first two from Senator GRAHAM, except that it eliminates the prescription drug benefit for the 75 percent of Medicare beneficiaries with average incomes who will have spending less than \$4,000 in 2005.

This means that the average senior, who will spend \$3,059 on prescription drugs in 2005, according to CBO, gets nothing, no coverage at all.

That's quite a coverage gap. Or, to use a phrase that's become commonplace around here, that's quite a "donut." In fact, that lack of coverage—from \$0 to \$4,000 for most beneficiaries—is the biggest "donut" of them all.

I find this last fact especially ironic since it was these very same Democrats who last week said they wanted a comprehensive, universal prescription drug benefit in Medicare without any coverage gaps.

Besides having the biggest gap of them all, today's plan from Senator GRAHAM will still cost the taxpayers more than \$400 billion, even though it

provides no basic coverage at all for the average senior.

And the latest try from Senator GRAHAM still requires the government to decide which medicines to make available to the few seniors who qualify for coverage.

It is often said that the third try's a charm. I'm sorry to say that in this case, it isn't. It isn't even close.

Now, you might wonder whether there is another alternative that can get affordable coverage to all seniors, regardless of income.

I am happy to report that there is.

For \$30 billion less than the latest plan from Senator GRAHAM, it is possible to have a far better drug benefit that helps all seniors based on the tripartisan approach.

The tripartisan proposal costs only \$370 billion, including improvements to Medicare besides a meaningful drug benefit.

The tripartisan proposal lowers prices for all drug purchases due to negotiated discounts, and provides 50% coinsurance after a \$250 deductible, up to \$3,450 in drug spending.

It also provides catastrophic protection above \$3,700 in spending—better protection than in the more expensive Democrat plan before us today. All this is possible while spending billions less.

The tripartisan proposal also strengthens and improves Medicare by adding a voluntary, enhanced fee-for-service option. The new option provides protection against serious illness costs—something missing from Medicare today.

The new option also provides better protection against hospitalization costs and free preventive benefits. And seniors who want to keep the same basic Medicare they have today can do so if they wish. Everyone has access to affordable prescription drug coverage.

The bottom line is, the tripartisan proposal, at an official cost of \$370 billion, provides more generous prescription drug coverage for all seniors at a lower cost to taxpayers than the current Democrat plan, which leaves half of seniors with nothing at all at a cost of \$400 billion.

I will close by saying against that none of these attempts would have been necessary, had the Finance Committee been given the right to work its bipartisan will on a prescription drug proposal of its own.

If the committee process had been followed, we could have built bipartisan consensus and presented the Senate with a compromise proposal that could get 60 votes.

Instead, Senator GRAHAM, along with some of the Democrat caucus, has come to the floor time and time again this month with partisan proposals that get worse by the minute and that stand no chance of attracting bipartisan support.

In that regard, today's proposal is not different from the others. It's another partisan poison pill.

This pill, however, is more dangerous than those before it. It leaves most of

our seniors out in the cold, does nothing to contain increasing drug costs, and carries an all too expensive pricetag. I urge my colleagues to reject it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

#### UNITED NATIONS POPULATION FUND

Mr. BINGAMAN. Mr. President, on June 25, a little over a month ago, I spoke on the Senate floor about the issue of the United Nations Population Fund. At that time, I called on the President to release the funding for this organization. This is funding we had appropriated in the Congress last December.

I was extremely disappointed to learn that the Bush administration has now decided to eliminate the funding for the U.N. Population Fund. Once again, the administration has chosen to approach an issue unilaterally instead of to cooperate internationally with our allies. Once again, the administration has chosen domestic politics over the health and safety of women around the world.

The administration's decision is contrary to the finding of the administration's own expert panel. The administration did set up a panel and asked them to look into the issue to determine whether or not there was a problem that should prevent them from making this funding available.

That panel determined not only that the UNFPA, the United Nations Population Fund, does not condone or support in any way the violations of human rights or internationally agreed upon standards for family planning, it further found that the Fund is a force for progress, and that is a sentiment with which Secretary Powell himself publicly and wholeheartedly agreed when the panel came out with their announcement.

The United Nations Population Fund works in over 150 countries. They help to give women around the world access to reproductive health care and family planning services, as well as services to ensure safe pregnancy and delivery.

The U.N. Population Fund has been working in China and around the world to encourage nations to expand the availability of voluntary family planning information and services so that people everywhere have the right to decide freely and responsibly the number and the spacing of their children. The Fund is also a leader in the global effort to prevent the spread of HIV/AIDS.

From everything I have been able to read, it is clear that the U.N. Population Fund does not perform or support performing abortions in any way. Anyone who says that Fund does support that activity just has not looked into the issue as this expert panel has.

The U.N. Population Fund is a United Nations organization governed by the governments that make up the United