

will have to tell the public how many jobs are affected, where the jobs are going, and why they are being offshored.

This act also requires the Department of Labor to compile much-needed statistics of offshored jobs and report them on an annual basis to the Congress and the public. Finally, it applies WARN Act protections to all cases where 50 or more workers are laid off.

The bill shines a spotlight on offshoring practices—not only in corporate boardrooms but at the White House. It is time for President Bush and Corporate America to let every American know whether they stand only for more profits or whether they stand with the American people.

Mrs. FEINSTEIN. Mr. President, I rise to join my colleagues, Senator SNOWE and Senator WYDEN, to support the bipartisan Medicare Enhancement for Needed Drugs Act. This legislation is an important step toward controlling the spiraling cost of prescription drugs for America's seniors.

Last November, I voted in favor of the Medicare Prescription Drug Improvement and Modernization Act because I believed it was the right step toward finally delivering on a promise Congress made to its seniors to modernize Medicare by providing prescription drug coverage in the nearly 40-year-old program.

I personally ran the numbers and looked at a variety of options to add a prescription drug benefit in Medicare, but I decided to support the final bill that was passed last November and signed into law in December because I felt it would make a genuine, positive difference for the seniors in my State, particularly those with low incomes or very high drug bills.

The key to the Medicare bill is that the prescription drug coverage is voluntary. No senior will be forced to enroll in drug coverage in Medicare, also called Medicare Part D. Those who do will receive assistance from the Federal Government for their drug bills up to \$2,250 in total drug costs and will only pay 5 percent of their drug costs above \$3,600 in out-of-pocket spending.

I have said several times on the floor of the Senate that I was dismayed at a provision in the bill that prohibits the Secretary of Health and Human Services from negotiating lower prescription drug prices. Similarly, I said that I would take action to remove this provision and work toward lowering costs of the program.

I feel strongly that savings to the Medicare Program can be achieved by provisions in the Medicare Enhancement for Needed Drugs Act. Now is the time to find solutions that reduce the cost of prescription drugs for our Nation's seniors and for the future of Medicare. I know seniors in my State who have had to make the terrible choice of paying for their prescription drugs and paying for rent and groceries. In the end, many skip or reduce their dosages putting their health at risk. That is simply unacceptable.

This bill represents a comprehensive approach to strengthening the drug coverage in the Medicare bill by addressing the skyrocketing drug costs.

First and foremost, the bill strikes language in the Medicare bill called the "noninterference" provision. That section bars the HHS Secretary from interfering with the negotiations between drug manufacturers and pharmacies and sponsors of prescription drug plans. I strongly believe that the Secretary should be given the authority similar to that of other Federal entities that purchase prescription drugs in bulk to negotiate contracts with manufacturers of covered part D drugs.

CBO estimates that the effect of striking the "noninterference" provision would have a "negligible effect" on Federal spending because the savings CBO predicts private plans will be able to obtain will be greater than what the Secretary will be able to achieve.

However, what if CBO's predictions are not the reality and private plans cannot achieve the lowest prices available? What if competition among private plans does not bring about greater cost savings? In that scenario, the HHS Secretary would not be able to step in and use the full force of the Federal Government's bulk purchasing power to lower prescription drug prices.

A 2001 inspector general's report from the Department of Health and Human Services found that the Department of Veterans' Affairs, VA, paid an average of 52 percent less for a list of two dozen drugs than did Medicare. The VA employs a number of cost-saving techniques such as using generics whenever available and substituting high-priced medications with just as effective ones for lower prices.

I strongly believe that the Federal Government should employ the cost-saving techniques for Medicare as the VA does for the acquisition of prescription drugs.

As an incentive to participating Medicare drug plans to negotiate the lowest possible drug prices, the bill allocates \$500 million from the Medicare Stabilization Fund to be used by the HHS Secretary for those plans to secure negotiated prices that are on average within 10 percent of VA or Department of Defense.

In order to ensure that seniors can make an "apples to apples" comparison when determining which drug plan suits them best, the bill requires that the Centers for Medicare and Medicaid Services, CMS, determine the negotiated savings received from each plan.

The bill makes a significant step toward increasing access to lower cost reimported prescription drugs by ensuring access to these markets. It prohibits any company that discriminates publicly, privately or otherwise against foreign retailers or wholesalers who pass along discounts to consumers living in the United States from taking advantage of the advertising deduction allowed under the U.S. Tax Code. The

purpose of this provision is to stop the practice of drug manufacturers limiting their shipments to foreign countries expressly to prevent reimportation by American consumers.

I have heard concerns raised by many of my constituents about the impact the Medicare bill will have on their medigap plans. This bill directs the HHS Secretary to work with the National Association of Insurance Commissioners to conduct a review of the changes to the medigap policies in the new drug benefit for the purpose of evaluate its impact on Medicare beneficiaries.

CBO projects that Americans over 65 will spend \$1.8 trillion on prescription drugs over the next 10 years. Recent studies of United States and Canadian drug price comparisons show that, on average, prices charged by manufacturers, wholesalers, and retailers were higher in the United States, most recently by about 70 percent.

If we do not address the exorbitant costs of prescription drugs in this country today, we threaten the viability of programs like Medicare for future generations. I am pleased to join Senators SNOWE and WYDEN in the fight for lower prescription drug prices for our seniors.

I urge my colleagues to join me in supporting this important legislation.

INFANT MORTALITY RATE INCREASES FOR THE FIRST TIME SINCE 1958

• Mr. BOND. Mr. President, I rise to today to discuss some disturbing news. According to a preliminary report released by the CDC's National Center for Health Statistics, infant mortality in the U.S. increased from 6.8 deaths per 1,000 live births in 2001 to a rate of 7.0 in 2002. This is the first time that the infant mortality rate has increased since 1958. Birth defects, preterm birth and low birthweight, and maternal complications of pregnancy were the major factors contributing to this increase.

During the last session of Congress we passed legislation that I introduced with Senator DODD to renew the Federal commitment to finding the causes of birth defects and preventing those for which we know the causes. I am very proud of the important work being conducted by the National Center on Birth Defects and Developmental Disabilities at the CDC in this area.

Congress has not yet addressed the problem of premature birth and low birthweight. In 2002, more than 480,000 babies were born prematurely in the U.S. 1 in 8 births. In my own State of Missouri, 12.7 percent of births are preterm, an increase of more than 11 percent over the last decade. Preterm labor can happen to any pregnant woman and the causes of nearly half of all preterm births are unknown.

In January of 2003, the March of Dimes launched a 5-year, \$75 million

campaign to prevent preterm birth. Also supporting the campaign are the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the Association of Women's Health, Obstetric and Neonatal Nurses and 28 other national organizations. I cannot think of a better group of organizations to take on this serious public health problem. As significant as the March of Dimes campaign will be, success in reducing the incidence of prematurity requires a commitment from the Federal Government as well.

I am pleased to be a cosponsor of vital legislation aimed at reducing the rates of preterm birth. The "PREEMIE Act" authorizes expansion of research into the causes and prevention of prematurity and increases Federal support of public and health professional education as well as support services related to prematurity.

I would like to conclude by telling you the story of Jacqueline Reineri. Born 4 months premature, at just 24 weeks gestation, Jacqueline was given a very slim chance for survival. She was the size of a small doll, weighing just 1 lb., 10 ounces. Jacqueline had a grade-three brain bleed among many other complications and spent 96 days in the neonatal intensive care unit, NICU.

Today, Jacqueline has Spastic Quadriplegia Cerebral Palsy and gets around in a power wheelchair. She has endured four major surgeries and will continue to experience many long-term effects of prematurity. While her family worries about her future, they feel blessed that she is a very intelligent second grader in a typical classroom and a very active advocate for prematurity and children with special needs, serving as the Missouri March of Dimes Ambassador.

As inspiring as Jacqueline's story is many premature babies aren't as lucky. The recent increase in the rate of infant mortality underscores the importance of a comprehensive public-private effort to find the causes and ultimately prevent premature birth.

I ask all of my colleagues to join me today in pledging to do all we can to ensure a day when all children are born healthy. ●

RADIO LIBERTY STIFLED IN UKRAINE

Mr. CAMPBELL. Mr. President, several weeks ago, I addressed the Senate, in my capacity as Co-Chairman of the Helsinki Commission, on critical Presidential elections scheduled to be held later this year in Ukraine. In the latest twist in the lead up to those elections, yesterday Radio Liberty was abruptly informed that its Ukrainian Service programming would be removed from its major radio rebroadcaster's FM schedule, beginning February 17. In a press release, RFE/RL President Tom Dine said, "This is a political act against liberal democracy, against free

speech and press, against RFE/RL, and shows, once again, that Ukraine's political leadership is unable to live in an open society and is compelled to 'control' the media as if it were the good old days of the Soviet Union."

This is not the first time that there has been official Ukrainian pressure to drop RFE/RL broadcasting since September 2001, shortly after the murder of independent journalist Heorhiy Gongadze and the release of secretly-recorded tapes in Ukrainian President Kuchma's office implicating him and other high-ranking officials in the disappearance, corruption, and other dubious actions. Radio Liberty covers these and many issues about life in Ukraine, serving as an objective source of information in a media environment increasingly dominated by these authorities.

In the past I have spoken out about Ukraine's troubled pre-election environment, including its media environment. This latest move, together with repressive measures against the democratic opposition and independent media over the course of the last few months, raise profound questions as to whether the October presidential elections will be free, fair, open, and transparent, in a manner consistent with Ukraine's freely undertaken OSCE and other international commitments. Effectively unplugging an important independent source of information does not bode well for democracy in Ukraine.

EXPORT-IMPORT BANK

Mr. SHELBY. Mr. President, I acknowledge today, February 12, as the seventieth anniversary of the Export-Import Bank, the principal export credit agency of the United States. Since 1934, the bank has played a unique role in helping to facilitate U.S. exports, ultimately supporting thousands of jobs. As an independent U.S. Government agency, it assumes credit and country risks that the private sector is unable or unwilling to accept.

Eximbank has assisted in financing more than \$400 billion in U.S. exports. On average, 85 percent of its transactions directly benefit small businesses which are clearly struggling in today's economy. Historically, the Bank has a loan-loss rate of under 2 percent, which is a respectable record for any financial institution.

As the United States has become economically interdependent with a growing number of foreign trade partners, the Bank's role in leveling the playing field for American companies seeking to market their goods and services overseas continues to grow. In turn, Eximbank plays a vital part in enabling U.S. companies, both large and small, to turn export opportunities into concrete sales.

Mr. President, I am pleased to make not of Eximbank's important contribution to the U.S. economy and hope the institution continues to honor its mission through the twenty first century.

IN MEMORY OF MILTON WESLEY SANDERS

Mr. REID. Mr. President, Milton Wesley Sanders passed away on Tuesday, February 10, in Washington, DC. He was one of the rapidly vanishing members of what we rightfully call the "greatest generation".

These valiant Americans who fought in World War II did not merely defeat a savage and evil enemy. They literally saved the free world. What would our own lives have been like if the forces of Nazism had prevailed in that war? It is truly unthinkable, and thanks to the greatest generation and men like Milton Sanders, we will never have to know the answer.

This generation of Americans grew up during the Great Depression, so they already knew about sacrifice. And when their country called upon them to sacrifice even more, they did not hesitate.

Milt Sanders' first heroic act occurred when he was still in flight school in Florida. During a training flight near Tallahassee, FL, his new P-47 aircraft malfunctioned because of a missing part.

Rather than bail out over a populated area, he decided to take the airplane in for a "safe" crash landing. He could have landed safely on the campus of the Florida State College for Women now known as Florida State. But when he saw a lot of students walking across campus, he headed for a nearby field.

In the instant before landing he had to divert the aircraft to avoid hitting a farmer. In the resulting crash, he suffered a skull fracture and numerous other injuries. But his quick thinking and courage had saved innocent lives.

During the war, Milt flew 116 combat P-47 fighter-bomber missions with the 9th Air Force in the European theater of operations. He supported operations from the pre-Normandy invasion build-up through the race across France, the Battle of the Bulge, and the final victory over Nazi tyranny. He brought back seven aircraft so badly shot up that they were immediately sent to the scrap heap. He was credited with shooting down one German aircraft and destroying more than 25 aircraft on the ground. For his valor, Milt was awarded two Distinguished Flying Crosses, 20 Air Medals, two Presidential Unit citations, the French Croix de Guerre with Silver Star, and the Belgian Fourragere.

Milt, who was known to some of his squadron buddies as "Sandy," experienced the heroism of war, and he also saw the horror.

He saw one friend's aircraft crash into the ground. He saw another man bail out only to be knocked unconscious when he collided with his airplane. That man's parachute never opened.

He saw dead bodies that were booby-trapped.

He befriended an English family in London, only to find when he went to visit them that their home had been destroyed by a German V1 rocket.