

That is on the list.

After what happened in the Supreme Court not long ago, there is a real question now about whether we ought to revive the debate on Patients' Bill of Rights. Patients' Bill of Rights ought to be the subject of debate in the Chamber, not to mention all the other appropriations bills, rail security legislation, legislation dealing with our borders, our ports, our railroad tunnels.

This continues to be a historic Congress in its inability to do the things the American people would expect of us. I have heard all the charges of obstructionism. They can't get their act together. That is the fact. They are unable to decide among themselves what their priorities are. As a result, the priorities of the Nation languish.

We face a real crisis, as I mentioned a moment ago, in our country, involving the rising cost of prescription drugs. Last year, Congress passed a bill that was supposed to solve that crisis. Seven months later it is clear that it is not working and prices are going up as fast as ever. We should not and we must not accept that.

We have an obligation to consider new ideas, to search for new solutions. President Roosevelt was fond of saying:

Take a method and try it. If it fails, admit it frankly, and try another. But, by all means, try something.

A couple of weeks ago my friend Senator PRYOR from Arkansas was speaking here. He suggested that we follow a "do right" approach to our work. I completely agree. As we tackle issues, we should ask ourselves a simple question: Are we doing right by America? In the case of prescription drugs, I would ask the question: Are we doing right by America's seniors? The answer, unfortunately, is no.

According to a report by the AARP, the cost of the most-prescribed brand name prescription drugs has risen above the rate of inflation for each of the past 4 years, steadily eroding the fixed incomes of seniors. Last year the cost of drugs rose three times the rate of inflation. But as bad as that was, this year appears to be even worse. The AARP revealed recently that during the first quarter of 2004, drug prices rose more than 3½ times the rate of inflation and there is no end in sight. The typical senior will pay \$191 more for drugs this year than in 2003.

Statistics cannot do justice to the hardship this is placing on Americans.

Not long ago my office was contacted by a man whose name is Stan Pitts. Stan's diabetes has left him virtually blind and unable to work. Controlling his illness requires 13 different prescriptions. In all, his monthly drug bill is \$1,267. When he could no longer work as a computer technician, Stan went on disability, which paid him \$1,162 per month. It is not much, not even enough to cover his drug costs, but it still disqualified him from receiving any other assistance, including food stamps, housing, and Medicare.

There are no good answers for Stan today. All he can do is try to balance

his needs and his income as long as he can. If he does not take his medicine, his illness will worsen and he will eventually die. If he doesn't pay his rent, he will be out on the street. So he alternates. One month he pays for his medicine. The next month he pays his rent, and so on. This only delays the inevitable. Eventually, he will be evicted and eventually there will be nothing left to sell or exchange to pay his drug bill.

That is the future waiting for Stan Pitts, and it will be the future for thousands of more Americans unless we do something.

The White House and congressional Republicans seem content to rest on their Medicare and drug card program. Since its introduction 2 months ago, seniors have expressed concern that it is too confusing, it doesn't cover their medications, and it doesn't protect them against price gouging. The Wall Street Journal reported recently that whatever discounts the cards might have provided have already been factored into drug company pricing strategies. In fact, drugmakers have already raised prices so much that the so-called discounts offered by this program will do little more than return the drugs to their original prices.

Families USA recently concluded that families are worse off today with the drug card than they were in 2001, when the President took office. Furthermore, the official Web site established to help simplify the program for seniors has only made the problem worse. The prices are actually inaccurate. The information on the Web site is confusing and very unhelpful. Last week we learned that many of the pharmacies listed as participants in fact do not participate at all. Some are no longer in business and their windows are boarded up.

Seniors have been thrust into a maze of contradicting information. Even those who navigate it successfully will have few, if any, savings to show for their efforts. One couple from Rapid City who recently wrote me found the whole process, in their words, "foolish." They wrote:

This solution is not a benefit to the senior citizens, but instead is an economic boon for the drug companies. . . .

So rather than participate in the drug card program, they have started buying their drugs from Canadian pharmacies. They do not like to break the law, but they say they will have no other choice. The drug they need is 60 percent cheaper in Canada than it is here.

This family is not alone. Pharmaceutical companies charge American consumers the highest prices in the world. Some medicines cost American patients five times more than they cost patients in other countries. In effect, our citizens are charged a tax simply for being American. As a result, millions of Americans are having trouble affording lifesaving medication.

Seniors should not be made to feel like criminals just because they cannot

afford a \$1,000-per-month drug bill. It is wrong that seniors are left to struggle alone, and what makes it worse is the fact it is totally unnecessary.

The good news for America's seniors is we can do right by them. There are low-cost alternatives that dramatically reduce the price of prescription drugs. We know, for instance, that by enabling Americans to reimport medications safely from other industrialized countries we can bring down drug costs immediately. At the same time, we should be able to take advantage of the method the VA has already used to reduce drug costs, and employ the unrivaled purchasing power of the Government to negotiate better prices for 41 million Americans.

The administration opposes each of these commonsense measures. Apparently, the White House is so committed to protecting the profits of pharmaceutical companies, it is negotiating trade pacts that would increase the drug costs of other countries. Rather than running up the pharmaceutical costs of other countries, the administration should work with us to lower the price to Americans.

The fact is, there is no mystery to the problem of bringing down drug costs. There is no hidden secret; no puzzle to solve. We can do right by our seniors by making a simple choice. Let's put their interests ahead of the demands of the drug companies and HMOs. By taking simple commonsense steps, we can bring the cost of drugs and health care within reach of every American. When we do that, we will know we have done right by America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 7 minutes 55 seconds.

#### VALERIE PLAME LEAK INVESTIGATION

Mr. HARKIN. Mr. President, last week I noted here in the Senate that it has been almost a year since the identity of a covert CIA agent was revealed in print by a columnist, Robert Novak. It has now been 365 days, 1 year, and yet we still don't know who blew her cover, who leaked her name, who in the NSC, National Security Council, CIA, gave this information to people in the White House. It is clear that Valerie Plame's cover was blown as part of an effort at that time to discredit and retaliate against critics of the administration, especially anyone who dared to suggest that some of the intelligence used to justify the war in Iraq was fraud or fabricated.

If the administration were to try to continue this campaign of vengeance today, I suppose they would have to go after the entire Senate Intelligence Committee. I believe its report that it just put out verifies the fact that this was done in a vengeful manner.

As we all know, Ms. Plame's husband, former Ambassador Joseph Wilson, was sent by the CIA on a fact-finding mission to Niger early in 2002 to examine claims that Saddam Hussein had sought to purchase uranium from Niger. Wilson said he found the claims lacked credibility. The Intelligence Committee report provides an interesting new perspective on these events. It indicates that in October of 2002, CIA Director Tenet called the Deputy National Security Adviser, Stephen Hadley, to express the CIA's serious concerns about references to uranium and Africa in a speech the President was going to give in Cincinnati.

Guess what. The references were removed.

Then in December of 2002, the State Department officials advised that the documents underlying the claim were likely forgeries. That is in December. However, the President comes before a joint session in January and says that the "British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."

One thing that remains unclear throughout this series of events is exactly how and why the same NSC officials—National Security Council officials—who heard Director Tenet's concerns in October, who removed that language from the speech the President was giving in Cincinnati, who also knew the State Department in December had said these were probably forgeries, how did they allow this back into the State of the Union Message in January 2003?

We still don't have a full picture of how the administration manipulated intelligence on Iraq. The Intelligence Committee report stops short of that inquiry. But it is clear that the intelligence community felt a great deal of pressure to conform its views to the administration's public characterizations of certainty about Iraqi production of weapons of mass destruction and Iraq's connections to terrorism.

The minority views of the report note that former Director Tenet confirmed that agency staff raised with him the matter of "repetitive tasking" and the pressure that it created. The CIA ombudsman told the committee that he believed "the 'hammering' of the Bush administration on Iraq intelligence was harder than he had previously witnessed in his 32-year career."

The minority views went on to say:

By the time American troops had been deployed overseas and were poised to attack Iraq, the administration had skillfully manipulated and cowed the intelligence community into approving public statements that conveyed a level of conviction and certainty that was not supported by an objective reading of the underlying intelligence reporting.

That was the fundamental point that Ambassador Wilson made in his op-ed in the New York Times: Intelligence was stretched to fit a predetermined course of action.

One year later—365 days later—we still don't know who was involved in leaking this name and exposing a covert CIA agent. We don't know who gave this classified information to the leakers in the White House.

The disclosure of Ms. Plame's identity was malicious and probably criminal. Mr. Fitzgerald, the special prosecutor, has been conducting a thorough investigation but with very little assistance from the person who could easily get to the bottom of it—the President of the United States.

I believe the President has been too cavalier, too dismissive of the situation. He has made only one statement on this issue. Here is what he said:

This is a town that likes to leak. I do not know if we are going to find out the senior administration official. Now this is a large administration, and there's a lot of senior officials. I don't have any idea.

That is the President of the United States.

Where is his outrage?

What about the Vice President? We know he can be relentless when he is on a quest for information to justify the war in Iraq. Vice President CHENEY personally journeyed to CIA headquarters repeatedly—I have heard up to eight or nine times—to meet directly with analysts on Iraq. I am further told that was unheard of before, that Vice Presidents have never done this before.

Here is Vice President CHENEY personally going to CIA headquarters across the river eight or nine times to sit down with analysts to tell them to get their story straight.

Where is that kind of determination when it comes to finding the people who committed treasonous acts against this country and leaked Ms. Plame's identity?

This administration has used the power of the Presidency to bend facts to fit predetermined views and then to suppress dissent.

That is why so much rests on the outcome of Mr. Fitzgerald's investigation. We need to send a clear message to any President that sacrificing intelligence assets and breaching national security is wrong and it is against the law.

We should be as vigorous and determined and unrelenting in finding these perpetrators, finding those who broke this law, finding those who undermined the security of our country as we are in going after any drug pusher or drug dealer anywhere in the United States.

This President, President Bush—yes, President Bush—has got to come out and help the special prosecutor. Quit hiding behind executive privilege. Quit hiding behind the fact that this is a large administration, and maybe we will never find out who did it. It is time for the President to come clean, and for the Vice President to come clean; otherwise, I fear for the future of our intelligence community and what kind of freedom they will have to give correct analysis to future Presidents of the United States.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). Who yields time?

The Senator from Kentucky.

#### INTELLIGENCE COMMITTEE REPORT

Mr. MCCONNELL. Mr. President, last Friday the Senate Intelligence Committee released a report on the CIA's threat assessments regarding Iraq conducted in the years prior to the liberation of that country. That the CIA overestimated the extent of Hussein's WMD infrastructure and underestimated the threat posed by al-Qaida prior to September 11 raises critical issues worthy of debate and deliberation. Unfortunately, we are not having this debate.

We know now that America was basically blind for over a decade throughout the Middle East, that we lacked agents in Iraq and Afghanistan or Arabic linguists or Middle east experts.

We also know that there are structural problems that have frustrated the intelligence community's ability to provide the best possible information to political leaders. And we know these structural flaws led to inaccurate estimates that misinformed policy makers.

Rather than working to fix the problems of the intelligence community, some Democrats are now issuing statements notably at odds with their prior positions.

The Vice-Chairman of the Senate Intelligence Committee, Senator ROCKEFELLER, accused the Bush administration of pressuring the CIA to come up with a certain viewpoint, even as he endorsed a committee report that concludes the opposite.

The Senator from West Virginia went further and charged that: "Our standing in the world has never been lower. We have fostered a deep hatred of America in the Muslim world, and that will grow. As a direct consequence, our nation is more vulnerable today than ever before."

Oddly, these charges are at variance with the sensible claims he and other critics of the President have said for years about the threat Saddam Hussein posed to the United States.

In October 2002, Senator ROCKEFELLER, then as now a member of the Intelligence Committee and privy to the sensitive intelligence data that administration officials use, gave a thoughtful speech defending his vote in favor of the use of force resolution. It was a very good speech. So let me highlight a few quotes from the speech of our good friend from West Virginia. He said:

There is no doubt in my mind Saddam Hussein is a despicable dictator, a war criminal, a regional menace, and a real and growing threat to the United States . . .

He went on to say:

Saddam's government has contact with many international terrorist organizations that likely have cells here in the United States . . .