

A number of us have sent a letter asking the Republican Leader to reconsider his position and allow us to vote on our legislation legalizing reimportation before the Senate adjourns.

This problem isn't going to go away if we ignore it. It has gotten worse for the past decade, and it will keep getting worse until we act. Tomorrow, hundreds of seniors will gather outside the Capitol to make their voices heard on this issue. Those voices must also be heard inside the Capitol as well.

It is time we make the statement that the pocketbooks of Americans are more important than the profits of big drug companies. It is time the Senate got a chance to provide seniors real, meaningful relief from high drug costs.

I yield the floor.

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 be a period for the transaction of morning business for up to 30 minutes, with the first 15 minutes under the control of the Democratic leader or his designee, and the final 15 minutes under the control of the majority leader or his designee.

The Senator from Massachusetts.

WELCOMING PRIME MINISTER ALLAWI

Mr. KENNEDY. Mr. President, if the Chair would let me know when 13 minutes have expired, I would appreciate it.

First, I want to join with others in expressing a welcome for the comments of Prime Minister Allawi which we just heard in the House Chamber in the joint meeting. His challenge in governing and stabilizing Iraq is enormous. I believe that challenge has been made far more difficult by the continuing mistakes and persistent miscalculations of the Bush administration. Our policies are failing. We need to correct our course in order to stay the course, guarantee success, and bring our troops home with dignity and honor.

HEALTH CARE

Mr. KENNEDY. Few if any issues are more important to American families than health care—and in few areas has this Administration failed more dismally. Its record is marked by inattention, incompetence, and outright deception. And because its record is so weak, its campaign strategy is based on false attacks on JOHN KERRY's plan.

The Administration's failures have been especially damaging for senior citizens and Medicare. Today's seniors

built our country. They stood by it through World War II and the Cold War, through good economic times and bad. Medicare is a commitment to stand by them, to guarantee the affordable health care they need in their retirement.

As George Bush said in his acceptance speech to the Republican convention on September 2, "we have a moral responsibility to honor America's seniors." He's right about that—but senior citizens know that on Medicare, George Bush may say the right words, but he constantly does the wrong things.

The Medicare crisis gets worse every day for our seniors. The Administration's Medicare bill was passed by Congress, but only after the Administration concealed its true cost—and broke the law in the process. Now they are at it again. As the Washington Post reported last Sunday, the Administration concealed internal estimates showing that the cost of the bill is even higher—\$42 billion higher—than they admitted in January.

Last week we learned that the Administration has suppressed estimates showing that Medicare cost sharing and premiums will eat up more than 40 percent of the total Social Security benefit of the typical 85 year old. Three weeks ago, the Bush Administration announced the highest premium increase in Medicare's entire history.

That's the Bush doubletalk in action. Pledge to honor our senior citizens on September 2, impose the highest Medicare premium increase in history on September 3, hide the truth about the erosion of Medicare on September 14, and suppress yet another estimate of the cost of the Medicare bill on September 19. And that's just in the last three weeks. If George Bush gets four more years, senior citizens will fare even worse.

The basic problem with George Bush on Medicare is that he puts the interests of drug companies and HMOs first and the needs of senior citizens last. The Medicare bill forces 15 million senior citizens to pay more for their prescription drugs than they do today. It causes 3 million retirees to lose their good retirement coverage. It forces 6 million of the poorest of the poor—the elderly and disabled under Medicaid—to pay more out of pocket for their prescription drugs. It requires 6 million senior citizens to pay more in premiums than they will get back in benefits. Its high deductibles, high premiums and huge coverage gaps leave large numbers of senior citizens unable to pay their drug bills.

The Administration's Medicare bill also prohibits safe drug imports from Canada, so that drug companies can continue to gouge Americans, while citizens of Canada are able to buy the same drugs at half the price. The bill prohibits Medicare from negotiating drug discounts so that senior citizens can get fairer prices. The bill gives drug companies \$139 billion in windfall profits. It gives HMO's \$46 billion in

unfair subsidies, instead of using those funds for a decent drug benefit or to keep premiums at affordable levels.

Every major company and every major health plan in America negotiates prices for drugs. The Veterans Administration does it to see that veterans pay fair prices for the drugs they take. But when it comes to using the negotiating power of Medicare, the Bush Medicare bill says, "Oh, no—not for senior citizens."

George Bush must think the CEOs of the drug companies need senior citizens' money more than senior citizens do. Senior citizens are living on fixed incomes—and his Medicare bill is a fix to give away millions to drug industry CEOs.

Not only does the Bush Medicare bill block imports of drugs at fair prices, the Bush Administration and the Republican Congress won't even allow a vote on bipartisan legislation to give senior citizens and all other Americans safe access to affordable imported drugs.

President Bush said in Muskegon, Michigan, two weeks ago that he opposed drug imports because he wants to make sure the drugs were safe. Our GOP Senate Majority Leader says he won't allow a vote on the issue in the Senate, because he wants to protect Americans from unsafe drugs.

The safe drug argument is a sham. Our bipartisan bill guarantees safety. The only drugs that can be imported are drugs approved by the FDA and manufactured in FDA approved plants. The fact is that George Bush and the Republican leadership won't allow a Senate debate because they're afraid to defend their position before the full Senate, afraid of the accountability that a Senate vote gives the American people. The real safety issue for George Bush is the safety of the profits of the big drug companies, not the safety of American patients.

According to another revelation in the very last paragraph of last Sunday's Washington Post article, of all the money that the Bush Medicare drug bill lavishes on HMOs, only about 5 percent goes for increased benefits to patients. The rest goes for HMO profits and excess costs.

This Administration has been touting all the wonderful extra benefits for senior citizens who give up their regular Medicare and join a Medicare HMO. That's no justification for the \$1,000 in overpayments that the Medicare trust fund gives to HMOs. If those extra benefits are needed, they should be available to every senior citizen—not just those who join an HMO. But it turns out that the vast majority of that overpayment—according to the Bush Administration's own estimate—doesn't benefit senior citizens at all. It benefits HMO profits.

For this President, when he says "honor senior citizens," he really means honor big drug companies and big HMOs.

President Bush also said this month that health care needs to be modernized to “reflect the world in which we live.” In the world he lives in, it’s OK for drug companies to make billions, while seniors have to choose between the pills they need and putting food on the table. In the world President Bush lives in, the Medicare seniors know and trust will be turned over to the tender mercies of HMOs. In the world he lives in, he abandons the guarantee of Social Security and risks savings by seniors on the whims of the stock market. But that’s not the world senior citizens live in—and it’s not the way to honor senior citizens.

The health care record of the Administration isn’t just a failure for senior citizens. It’s a failure for every American family.

Health care costs are out of control. Annual spending on health care has increased from \$1.3 trillion when the Administration took office to \$1.8 trillion today. That’s an increase of half a trillion dollars in just four years.

American families are being pushed to the wall by those cost increases. Health insurance premiums have increased 59 percent in the past four years. The cost of insurance for a family has increased by almost \$3,000. This year, premiums for family insurance will climb to \$10,000.

Drug costs are out of control. According to the most current data, they increased 52 percent in the first three years of the Administration. The President not only hasn’t done anything to cut drug costs, he opposes any steps that would do something. He won’t support anything that threatens the swollen profits of his friends in the pharmaceutical industry.

The crisis of the uninsured is also out of control. Under this Administration, the number of the uninsured has soared by more than a million a year, to 45 million Americans today. Last year, one in three Americans—82 million—were without coverage for an extended period. No American family is more than one pink slip or one employer decision to drop coverage away from being uninsured.

Whether the issue is health costs, or the number of uninsured, or Medicare, President Bush knows he can’t run in his record. Instead, he tries to divert attention from what he’s done by invoking the same tired old charges that the right wing always trots out against progressive health care solutions—the same charges they made against Medicare. In 1964 and 1965, when the Medicare debate was at its height, Republicans said Medicare was “socialized medicine.” They called it a “crackpot scheme.” They said it was a “government invasion” of health care.

Fast forward forty years. Here’s President Bush on JOHN KERRY’s plan: “A government takeover of health care.” It’s a new century but it’s the same old GOP line.

The Kerry plan will give all Americans the same access to the same af-

fordable, private health coverage that is available to every member of Congress and the President, too. Is that a government take-over of health care—or is it just plain fair?

The Kerry plan provides tax credits to help small employers pay for private health insurance for their employees. Is that a government take-over—or is that just common sense?

The Kerry plan authorizes people 50 to 64 with serious health problems and no access to affordable insurance to buy into Medicare. Is that a government take-over—or is that just compassion for people in need?

The Kerry plan helps unemployed workers pay the cost of extending their private, on-the-job insurance coverage if they’re laid off. Government take-over? Let’s get serious.

The Kerry plan expands Medicaid and CHIP for low income adults and children so that people whose employer doesn’t provide health insurance and who can’t afford it on their own can get the coverage they need. Is health insurance for every American child a government take-over—or is it just the right thing to do?

The Kerry plan reduces private health premiums for everyone by 10 percent, by helping private insurance pay for the most costly illnesses. Is that a government takeover—or is that a creative idea to deal with the explosion in costs?

The Kerry plan cuts health care costs by reducing sky-high administrative costs and paperwork, and by helping doctors and hospitals provide better quality care. Is that a government take-over—or just following the advice of the best medical experts?

The bottom line is that the Kerry plan will provide quality health insurance for two-thirds of the uninsured—27 million people. It will lower costs for every American. It will improve quality. It’s a good idea.

George Bush knows he can’t win the argument if he talks about JOHN KERRY’s actual proposals, so he resorts to attacks that deceive and frighten. The Bush record: failure. The Bush response: fear and smear.

President Bush knows he can’t run on his record, so he’s offering the old right-wing proposals dressed up in shiny new clothes. They’re proposals he’s had four years to enact, and couldn’t, because too many Republicans oppose them too. They’re proposals that won’t help working families, even if they’re enacted. They’re nothing more than thinly disguised giveaways to special interests.

It offers refundable tax credits for the uninsured, but the priority it places on these credits is so low that it funds them only if unidentified, offsetting cuts are made in programs like Medicare and Medicaid. The credits are too small to do any good anyway, even if they’re funded.

They propose Association Health Plans, but that program has little to do with expanding insurance coverage

for small businesses and everything to do with giveaways to Republican trade associations. The Congressional Budget Office says the proposal will actually raise premiums for 20 million Americans working for small businesses.

The Bush plan proposes new tax breaks for the wealthy by squandering even more scarce federal funds on Health Savings Accounts. Those accounts will cost taxpayers \$41 billion over the next 10 years—and they will raise premiums 60% or more for people who need conventional insurance. Health Savings Accounts say to American families: You don’t pay enough for health care. You’re wasteful. You should spend \$3,000 out of your own savings before health insurance helps you pay your costs. That’s Alice-in-Wonderland logic—and hard-pressed American families won’t buy it.

The President also touts caps on malpractice insurance premiums as an answer to rising health care costs. JOHN KERRY has tort reform proposals to help doctors faced with excessive premiums. But the idea that capping medical malpractice awards will solve the health care crisis can’t pass the laugh test. Malpractice premiums account for less than 2 percent of health care costs, and the Congressional Budget Office says that capping awards will produce minimal savings.

A million and a half low income Americans—500,000 of them children—have already lost health insurance coverage under Medicaid and CHIP because states struggling with budget shortfalls created by the Bush recession have cut back on the program. But instead of offering relief to states, the Bush budget proposed another \$24 billion in Medicaid cuts. You don’t hear the President talking about that.

The President said in his acceptance speech that “America’s children must also have a healthy start in life.” He then had the gall to say that in his next term “We will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government’s health insurance programs.” I have news for the President. There are \$1 billion in CHIP funds that are now available to provide health insurance for children, but that will revert to the Treasury at the end of this week. If that happens, 200,000 low and moderate income children will lose their coverage. A bipartisan bill is now pending to restore those funds, as we have done in the past. But it’s not even in the President’s budget. Who in the world does George Bush think he is fooling?

To control health costs, the Bush Administration would have to take on its big contributors in the insurance industry and pharmaceutical industry. It won’t do that—so it has nothing to offer. To help Americans afford health insurance, the President would have to put higher priority on health care for working families than on tax breaks for the wealthy. He won’t do that—so he has nothing to offer.

President Bush doesn't understand that American families are tired of just talk. They want action. He's done nothing for four years to help, and now he wants another chance. He doesn't deserve it. JOHN KERRY offers real solutions, not excuses and empty promises. It's time for a change.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I have spoken with the two leaders. I ask unanimous consent that following the 15 minutes in morning business for the Republicans, which has already been allotted, there be a half hour of additional morning business equally divided between both sides. There will be no who is first. It will be whoever gets the floor during that time. An additional half hour, and each side will get 15 minutes.

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

The Senator from Oklahoma.

"ILLEGAL" WAR AND THE RULE OF LAW

Mr. INHOFE. Mr. President, I had the opportunity to watch Kofi Annan, the United Nations Secretary General, address the U.N. delegates. I wish he had seen what we all witnessed a few minutes ago when the great Prime Minister Allawi from Iraq gave one of the best messages I have ever heard to a joint meeting.

Much has been made about the Secretary General's remarks in an interview last week in which he called the war in Iraq "illegal." Several of my colleagues, including Senator COLEMAN, have addressed this issue on the Senate floor, so I will not belabor the point. It is not an illegal war.

I would like to reemphasize that the liberation of Iraq was carried out to enforce Security Council resolutions. These were the serious consequences with which Saddam was threatened if he continued his illegal acts—his illegal acts.

Secretary General Annan's remarks seem to be based on the idea that without explicit Security Council permission, any military action is illegal under international law.

I remind my colleagues that in 1999, NATO forces had been conducting air operations in Kosovo for 72 days before the U.N. Security Council passed a resolution granting its blessings. I have not heard any condemnation of the NATO's action as being illegal.

Secretary General Annan's address centered on the rule of law. I want to read a brief excerpt of what he said. He said:

Yet today the rule of law is at risk around the world. Again and again, we see fundamental laws shamelessly disregarded—those that ordain respect for innocent life, for ci-

vilians, for the vulnerable—especially children.

To mention only a few flagrant and topical examples: In Iraq, we see civilians massacred in cold blood, while relief workers, journalists and other noncombatants are taken hostage and put to death in the most barbarous fashion. At the same time, we have seen Iraqi prisoners disgracefully abused.

That is what the Secretary General said.

I am not going to suggest that the abuses of Abu Ghraib prison were not wrong. They were wrong. I will say more about that in a minute.

My point is the Secretary General, by lumping these two things together, has put terrorists and insurgents on the same level as America. This is a fundamental difference between a nation that recognizes the rule of law and punishes its own citizens if they violate it, and groups of outlaws whose charter is written in blood and whose tactics solely rely on violations of the rule of law. The people of the United States should know this, and so should the Secretary General.

The instances of prisoner abuse that have received so much media attention during the past few months were violations of these standards. A handful of the violators were already being punished. It was already taking place long before the media frenzy took place.

America had to deal with Americans violating the rule of law, and it has done so head on. But I suggest the United Nations itself is not above the rule of law. We are just now beginning to learn how the United Nations allowed the U.N. Oil for Food Program to degenerate into little more than another source of income for Saddam Hussein's bloody regime.

The U.N. response to allegations of wrongdoing has been half-hearted at best. Is this the rule of law trumpeted by the Secretary General? Let's be clear. A country's adhering to the rule of law does not mean that its citizens will not do bad things. We must do everything we can to prevent such occurrences, but despite our best efforts or the best efforts in any country, it is not going to be totally successful.

People are, well, only human. We know that. The rule of law is borne out in identifying, condemning, and punishing those who violate the standards on which we all agree. This is exactly what we do in America.

The U.N. states a commitment to the rule of law. We will continue to work with other nations in this international forum to effect change for the better. But I and many of my colleagues share skepticism as to whether the U.N. can effectively realize its noble goals. If the past is any indication, we can expect a lot of talk and very little action.

In Iraq, we are fulfilling, to quote the Secretary General, "our responsibility to protect innocent civilians from genocide, crimes against humanity, and war crimes." If this is not the rule of law, I would like to know what it is.

All the criticisms the Secretary General was aiming at the United States

were refuted directly or indirectly by Iraqi Prime Minister Allawi when he spoke to our joint meeting. I am overwhelmed by it, and certainly hope the Secretary General also heard his greatly, profound remarks.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. TALENT. Mr. President, I have a brief inquiry. My understanding is that with the unanimous consent agreement, I will now have longer than 10 minutes, if I need it, to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

AMERICA HAS A STRONG ALLY IN IRAQ

Mr. TALENT. Mr. President, I thank my friend for his comments. I want to talk about several issues, but let me say with regard to the whole question of illegal status of the freedom we are winning, along with the Iraqi people, in Iraq, there are many people in the international community for whom the definition of "international legality" is quite flexible, depending upon what it is they happen to want at any particular moment.

I was serving in the Congress, albeit on the other side of the Capitol, in the 1990s and remember when, at the urgent request of the Europeans, particularly the western Europeans, the United States assembled a coalition and used its military power to prevent genocide in southeastern Europe, to protect the Kosovars from genocide that was being conducted by Milosevic and the Serbs at the time.

The nations that wanted to do that asked the Security Council for a resolution of support and were denied it because, if you will recall, Mr. President, the Russians threatened to veto it, just as the French indicated 2 years ago they would veto any resolution of support for our action in Iraq.

Now you would think that to be consistent with the position they are now taking, some of the Western European countries, in particular the French and Germans, would have said at the time, If you can't get a Security Council resolution, then we don't want to intervene in Kosovo and prevent genocide there. But that was not the position they took at all. They insisted, they urgently pleaded with the United States to lead a coalition of nations to intervene for humanitarian reasons at that point, notwithstanding the fact they could not get a Security Council resolution because they recognized then what we have been consistent in recognizing all along: That we always seek the support of international alliances, and we have support of an international coalition in Iraq. We always seek to operate within international bodies and get the support of the U.N. when possible, but we protect our freedom with or without the support of that body in any given circumstance.