

fact, we can do something about currency manipulation right now. Every 6 months, the Secretary of the Treasury submits a report to us as to whether countries are manipulating. We expect to have a report in front of us this month, the month of November. Unfortunately, I expect it to say what it has always said, which is technically they are doing what we all know that they are doing, we all know. Any businessperson in my State can tell you that China is manipulating their currency. Talk to people in the auto industry, they will talk about Japan. And yet our own Treasury Secretary will not certify it is happening, giving us the tools to enforce against this illegal trade practice.

Let me be very clear. Currency manipulation kills American jobs, and it is illegal, it is illegal under the WTO and IMF obligations. China says they want to be a part of the world community, the world marketplace. They have been allowed to do that. We now need to say to them very strongly, with this opportunity comes the responsibility to follow the rules.

One of the things that is extremely concerning to me, when you look at currency manipulations, we have lost over 1.5 million manufacturing jobs because of this one policy that is illegal. The Treasury Secretary can do something about that by simply certifying that it is happening, and the President of the United States right now this week can look the President of China in the eye and say this is no longer going to be tolerated by the United States of America, we will not continue to lose manufacturing jobs and our quality of life in this country because they are not following the rules. Cheating is no longer allowed by China and by Japan.

The bottom line is we can no longer continue to sit on the sidelines while our trading partners continue to artificially control prices, look the other way when it comes time to enforce intellectual property rights, and fail to live up to their obligations under the WTO and the IMF. It is not acceptable to say that we are going to throw open our economy in the international marketplace and not care what the rules are.

Every other country cares what the rules are. The European Union took us to court because they felt we were unfairly subsidizing our businesses. They won. We changed our tax laws. We are the only country that does not seem to have policies that get it. This administration doesn't understand they are supposed to be on the same side of the table with American workers and American businesses. It is time for that to happen. I urge the President to act now before our manufacturing economy and our middle-class way of life is taken from us.

Current Federal policies are based on a philosophy that says to Americans, you are on your own in a global economy; you are on your own, good luck.

To American manufacturers, you are on your own; American workers, you are on your own.

Mr. President, I believe that we are in this thing together, and Americans understand that we have a stake in what the rules are and an economy that works for everybody, an economy that puts Americans and American businesses first so that we can continue the great way of life that we have had in this country. Americans know that we are in it together and that together America can do better. I call upon the President to join us in the fight for our way of life in America.

I thank the Chair.

The PRESIDING OFFICER. The Senator yields the floor.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank the Chair.

PRESCRIPTION DRUG PLANS

Mr. DURBIN. Today is the opening day for the new Medicare prescription drug plan D, and it is a day of great concern across America for millions of senior citizens who want to get it right. They believe, as I do, that Medicare should include a prescription drug benefit. It is almost hard to believe that a program that has been in existence for 40 years basically does not provide prescription drug coverage, but it started in a day when there were not that many prescription drugs and they were not as good. Today, we realize that often taking the right medication can make a person independent, strong, and living the life they want to live and avoiding doctors' care and hospital care.

So it is certainly the thing to do. We have known it for a long time. We have talked about it for a long time. We debated it over 2 years ago and decided to pass this approach to Medicare prescription drug benefits. I do not think we could have dreamed up a more complicated approach for a benefit that is basically pretty straightforward. Many of us thought the plan we passed here in Congress was just a sop or a favor for the pharmaceutical industry. They wanted to be able to offer plans all across America and say to seniors: Come and figure out which one is best for you. Well, the problem, of course, is that there are hundreds and hundreds of plans across America. And now senior citizens, some of whom are not in the best shape physically, are forced to make a call.

A fellow in Springfield, IL, told me about his 80-year-old mother who called him really concerned. She said: You know, I am supposed to pick a prescription drug plan, and they tell me to go to the Internet. What does that mean? You see, three-fourths of senior citizens have never logged on, they have never been on the Internet. They go to the traditional sources of information that you might expect—some one they trust. She went to her son and

said: Can you help me through this? And her son came to me and said: Senator, what have you done to us? I just took a look at the Internet, and my mom has 40 choices. I now have to line up her prescription drugs and figure out which plan covers those drugs and how much they charge, and then I have to figure out which plan will work with the drugstore that she is comfortable with, the one she trusts. I have to put that all together and make a decision for her, and I better do it quickly. I have until May 16, and if I wait until after that, then I am going face a penalty.

She is lucky. She had her son to call. Some seniors don't have anybody to call. But there are people calling them. Do you know who is calling them? The insurance companies that want to sell these plans, some of the pharmaceutical companies, some of the drug companies, they are calling the senior citizens and telling them: We have a deal for you. And many of these people, bewildered by what they are facing, really don't know where to turn. You can't walk into a drugstore in my hometown of Springfield, IL, without having somebody go up to a senior citizen and say: Let me talk to you about this prescription drug benefit.

Think about that. Some people have knocks on the door and phone calls with folks saying: We have the best plan in the world for you. In fact, the Attorney General of Illinois, Lisa Madigan, had a press conference with us a few weeks ago. They are finding evidence of rampant fraud when it comes to companies that are sadly taking advantage of our seniors. They are calling them and saying: Incidentally, will you give us your Social Security number so we can log you into the system? These people unwittingly give their Social Security number that can open up so many elements of their personal life they should not be advertising and publicizing.

How did we ever reach this point? Is this the best we can do? I don't think so. When it comes to helping our seniors with a real prescription drug benefit, America can do better—a lot better—than what we are asking the seniors to go through right now. American seniors are confused about this plan, and Congress needs to give them at least more time to figure it out.

Let me show a chart that explains part of it. "Understanding How the Benefit Will Be Administered." They asked seniors:

To the best of your knowledge, do seniors in the traditional Medicare Program have to sign up with a private plan to get the new Medicare drug benefit or not?

Yes, 35 percent; no, 32 percent; don't know, 33 percent.

Do seniors have to enroll in a Medicare PPO or HMO to get the new Medicare drug benefit or not?

Yes, 17 percent; no, 40 percent; don't know, 42 percent.

According to a poll released by the Kaiser Family Foundation last week,

two-thirds of seniors don't even know they have to choose a private plan. One-third of seniors think they are going to get their drugs through Medicare, and that is wrong. That is the proposal we suggested on the Democratic side of the aisle to make this simple and straightforward, a Medicare plan where the Federal Government would bargain with the pharmaceutical companies to get bulk discounts and low prices, saving seniors money and saving taxpayers money. But the pharmaceutical companies wanted no part of it. They want to be able to charge the highest prices they can. They want the smallest bargaining units they can come up with: groups of seniors rather than all Medicare seniors.

Let me show another chart which spells out some of the problems with the current approach seniors are facing. This chart—and this was part of a survey by the Kaiser Family Foundation, Harvard School of Public Health, on awareness and use of the Medicare Web site, medicare.gov. They asked seniors:

Have you ever heard of the Web site medicare.gov?

Two-thirds said no.

Have you ever looked for information on medicare.gov?

Three-fourths of them have never been online.

Let me show some other statistics that show the gravity of this problem that faces seniors as they have to make literally life-and-death decisions.

The Kaiser Family Foundation asked in a survey, "Seniors' Beliefs about Enrollment":

Do seniors generally need to sign up to get the new Medicare prescription drug benefit or will coverage automatically begin by January 1, 2006?

Have to sign up, 64 percent; 10 percent said it will begin automatically; 25 percent, don't know. That was in October 2005.

We are finding fewer and fewer seniors understand the obligation and responsibility they currently have. If a senior does not sign up for a Medicare drug plan in 2006 but wants to enroll in a future year, which of the following is true: He or she will face a financial penalty? Thirty-six percent said yes; 27 percent said don't know; 19 percent said no penalties; 17 percent said maybe.

Most alarming, 63 percent of seniors don't know they will face financial penalties if they don't sign up by May of next year. If a senior decides in June of next year to go back and try to sign up, they will have to wait until November of that same year for the next open enrollment period. Boy, you have to read the fine print. And to think we are putting millions of seniors through this is hard to believe.

I would say this: If you enjoy doing your tax returns, you are going to love signing up for this program because this is going to confront you with more choices and more new information and more fine print that can get you in

trouble than most seniors could ever imagine. For every month a senior waits, they will pay a penalty of 1 percent on the national base premium. That penalty is added to their premium every month for the rest of their lives. So by May, if you haven't figured it out and you want to wait until October or November, you now have incurred a penalty of 1 percent a month which you now will have to pay as long as you are part of the program, and the penalty can increase each year as premiums increase. This is some punishment for not signing up.

Let me talk about my State of Illinois. There are 17 insurance companies offering 84 different Medicare HMO or PPO plans. There are 16 prescription drug organizations offering 52 different prescription drug benefits, for a total of 136 plans in my State of Illinois. In Cook County alone, there will be 64 different Medicare drug plans.

I asked my staff to act as if they are a senior signing up for this plan and find out what they can. You won't be able to make much of this if you are following this debate. But if you think that is a big, long list of plans to choose from in the State of Illinois, that is half the story. Here is the whole story. This is what your mother and grandmother, your father and grandfather will have to sort through. They will have to figure out what the premium might be, what the deductible is, what is the copay, whether they are going to fill the donut, which is another problem with this plan, whether it covers your drug.

Incidentally, you know what we found out, even if you get on their Web site, you can't find out if the most common drugs are going to be covered by these plans. We tried to find out if Zocor, a common drug for cholesterol, would be covered by these plans. Not in a single instance could we gather that information off the Web site. You have to call the plan. You are put into voice mail. You have to wait patiently until your turn comes to ask whether one of these plans is the best plan for you.

This chart is what a Cook County senior who doesn't have any extenuating circumstances would have to evaluate. What I mean by "extenuating circumstances" is whether they face factors that make the comparison of these plans even more difficult. This person I am talking about is not in a nursing home, not eligible for State assistance through Illinois Cares Rx or Medicaid, not eligible for Federal low-income assistance, nor is she on Social Security disability.

We assume she is taking four drugs: Zocor for cholesterol, Nexium for chronic heartburn, Fosomax for osteoporosis, and Relafen for arthritis.

Because the formularies—the list of drugs you can receive under each plan—are not listed in the "Medicare and You" handbook she received last week, she has to call every single plan to find out if her drugs are covered, or she can go out to the Web site, if she is

one out of four seniors who have ever done that in their life, for companies.

First, she has to find the Web site because they are not listed in the Medicare handbook sent to seniors. Once she knows which companies cover the drugs, she will have to add up the copays, deductibles, and premiums to determine the best deal. Is that the kind of assignment you want to give to your mother in a nursing home? Is that the kind of assignment you want to give to seniors perhaps dealing with their own challenges and problems in their life?

Unfortunately, that is the assignment this bill does give. When the Kaiser Family Foundation told seniors they would have more than 40 plans to choose from, 70 percent of seniors said more plans make the program confusing, and that is obvious.

Sally Moss from Jacksonville, IL, wrote to me and said:

On my kitchen bar sits material I have received in the mail from Social Security, AARP, and companies advertising their plans.

The PRESIDING OFFICER. The Senator from Illinois has exceeded the time allotted in morning business.

Mr. DURBIN. Mr. President, I ask unanimous consent for 8 additional minutes.

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

Mr. DURBIN. Mr. President, Sally Moss wrote:

On my kitchen bar sits materials I received in the mail from Social Security, AARP, and companies advertising their plans.

Periodically, I sit down to try to make sense of it, knowing that I need to make a decision before long. This idea of having to select a drug insurance plan from the private sector is the most ludicrous thing. . . . I am only 66 years old, with a major in business administration and a minor in computer science, and have only been retired for 16 months. If I am frustrated and confused, imagine those who are much older and less educated.

What can seniors do at this point if they don't have someone in their family they can turn to, whom they can trust, who will help them work through this morass of Government redtape to get to the plan for them? Turn to a group that doesn't have a financial interest in your situation. Never, ever give out your Social Security number. Go to Government agencies such as the Senior Health Insurance Program in my home State of Illinois, but be prepared for a long wait. We had our office call on behalf of some seniors to find out how long it would take to get information, and it turns out you are put in voice mail and you could wait for a long time.

In Peoria, IL, there are 23 volunteers answering the phones. They tell us they need 100 to get the job done in that one town.

It is not uncommon for seniors to attend two or three informational sessions because this benefit is so complicated. Some seniors get pretty emotional. They don't want to make the wrong decision.

In DeKalb County, there are four counselors for the whole county. Bob Rosemier is so concerned about the lack of staff that he is trying to get the DeKalb County Board to put on counselors to explain this complicated Federal program.

I am cosponsoring with Senator NELSON and Senator SCHUMER a bill called the Medicare Informed Choice Act of 2005. I ask any of my colleagues in the Senate who are receiving phone calls from seniors in their State facing the same problems I just described—finding it almost impossible to wade through this information and make the right choice, concerned they won't be able to do it even in the few months we have given them, worried over the penalties that could be assessed against them if they miss the next May 16 deadline—to help us pass this bill before we go home for Thanksgiving.

This bill does three things. It delays the late enrollment penalties for an additional 6 months so people have an entire year to sign up without penalty. It gives every Medicare beneficiary the opportunity to make a one-time change in plan enrollment at any point in 2006, so if a senior makes a mistake and chooses the wrong plan, it can be remedied. It also protects employees from being dropped by their former employer's plan during the first year of implementation so that beneficiaries have time to correct enrollment mistakes.

The Medicare Informed Choice Act is a modest, time-limited step we can take to ease the pressure on our senior citizens so that in the first year they get the decision made and made right, and if they make a mistake, they will not be penalized for it.

I urge all my colleagues, if you believed passionately in this bill as it was passed—and I did not—at least be sensitive to the people back home who are struggling to make sense out of this complicated measure. I urge all my colleagues to join me in the effort with Senator NELSON and others to help protect Medicare beneficiaries during the benefits implementation period.

UNANIMOUS-CONSENT REQUEST—
S. 1841

Mr. DURBIN. Mr. President, as I advised before I started speaking, I ask unanimous consent that S. 1841, the Medicare Informed Choice Act, be discharged from the Finance Committee and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. I object.

The PRESIDING OFFICER. The Chair hears an objection.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask unanimous consent to speak for up to 40 minutes as in morning business and that the time be equally divided

between myself and the Senator from South Carolina, and that we may be permitted to engage in a colloquy during that time.

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

SOCIAL SECURITY GUARANTEE
ACT OF 2005

Mr. SANTORUM. Mr. President, Senator DEMINT and I are here tonight to talk about an issue that has drifted to the back burner of American political discourse. It is unfortunate that it has. It is an issue that both the Senator and I, and I know many others on this side of the aisle, have worked to accomplish diligently now for many years, for me since 1995, trying to grapple with the shifting demographics and the changes that are coming to this country when it comes to the issue of entitlement programs.

There is no more important entitlement program that we have to preserve and protect and save than the Social Security system. It is the bedrock upon which our seniors have the security to meet the needs they have in their later years in life.

We understand this demographic timebomb of the baby boom generation, people living longer, lower birth rates, all of those things come together to create a demographic perfect storm that causes the Social Security not to be able to pay for the benefits promised to future retirees. We have tried to put forward solutions. I put forward solutions. Senator DEMINT has put forward more than one solution. Other people on this side of the aisle have done so. The House has done so. The President has put forward ideas on how to address this problem. We have done so because we believe it is important for us to step up to the plate and be serious about addressing this serious concern that millions of Americans who are retired, near retirement, and even younger Americans have about their ability to collect their Social Security check.

We fought hard to bring this debate to a head on the floor of the Senate. Unfortunately, we have not succeeded. We have not succeeded because we have been met with a partisan obstructionism that is as rock solid as the marble before me on the rostrum.

The fact is, we have seen no cooperation at all from the other side of the aisle. Unfortunately, we have not seen any attempt to come to the table and try to solve the problems of Social Security that all sides of the spectrum admit is looming for future generations of retirees. That is unfortunate. It is unfortunate because we have had an opportunity this year to address an important issue before the crisis strikes.

One of the great complaints that Americans have about Congress is that we wait until the problem is almost overwhelming us before we do anything to react to it and therefore end up with less-than-optimal solutions.

We have an opportunity now, as the crisis looms but far enough away, to be

able to address it in a way that can spread out the burden and create better opportunities for future generations of retirees, and just as importantly, future generations of taxpayers and American families trying to keep the quality of life and, in fact, improve the quality of life that we have in America. But we did not get that accomplished.

What Senator DEMINT and I have decided to do, in cooperation with our leadership in the Senate, is to try to take a first step. Using football analogies, which I know the Senator from Virginia, Mr. ALLEN, loves to use, we tried to throw the long ball and march down the field, but we are going to try to run off tackle here and see if we can pick up a yard or two to move the ball down the field to get to the goal of providing retirement security for future generations and saving and strengthening the Social Security system.

The first play in trying to accomplish that is legislation that I have introduced called the Social Security Guarantee Act of 2005. As I mentioned before, Americans work very hard and pay a lot of money. It is the biggest tax that most Americans pay. The overwhelming majority of Americans, the biggest tax they pay is the Social Security tax. From the tax they pay, they expect that benefit to be there when they retire.

The point is, for those who are at or near retirement, the answer is that it will be there. In fact, in looking at the long-term problems of dealing with Social Security, there is nothing this Congress should do to affect the near-term retirees and those who are retired today. We have said over and over again, those of us who have been advocates for strengthening the system, whether it is the President or Senator DEMINT or Senator FRIST or others, that we do not want to do anything to impact those who are near-term retirees and those who are already in the system.

The reason is twofold. No. 1 is we do not have to. The system is solvent. In other words, there is more money coming in than we need to pay out over the next 15-plus years. Therefore, we do not need to have any kind of fixes for those in the short term. The problem is out in the long term.

The second reason is a matter of fairness and equity. To change the game literally before someone crosses the finish line, to move the finish line—or even the people who have already crossed that finish line and have ended up in Social Security, to move it back would simply be inequitable. People would not have the opportunity to plan for that, and it could be very disruptive to their retirement.

So what Senator DEMINT and I have suggested in the Social Security Guarantee Act is that we put in writing in the statute what everyone has sort of agreed to in casual conversation and even beyond casual conversation. If we can put that chart up, the Senate recently, March 15 of this year, all 100