

be able to negotiate reduced prices for other Federal programs such as the Public Health Service, programs administered by the Indian Health Service, the Department of Veterans Affairs, the Department of Defense and the Defense Health Program.

This is smart and effective spending. It ends the spending of taxpayer dollars to fund advertising that has already received a tax break. It is a common-sense step, the kind of common sense that is all too uncommon when the Federal Government buys drugs.

Our legislation will address another issue that speaks both to the taxpayers' interests and the health of patients in these programs. When advertised drugs are purchased, it is not enough to make sure the price is right, although that is important. It is vital the drug is right for the patient's particular problem. Taxpayer dollars should buy drugs that will work best for patients by a doctor's best judgment. Just because a patient recognizes a drug's name enough to request it from their provider does not mean it is the best medicine.

More and more drug companies are treating doctors as a middleman they wish to skip. They make a lot more money if patients, without medical degrees, are encouraged to start writing their own prescriptions, whether the drug is the right one or not. Medicare, Medicaid, and other Federal programs have a charge to keep for their patients and a trust to maintain with American taxpayers. They should not be exploited financially by the pharmaceutical "flavor of the month."

I close by expressing my thanks to the Senator from New Hampshire. This is a bipartisan approach that is going to hold down the cost of medicine for taxpayers in our country. It will be a benefit to beneficiaries certainly at a time when the Medicaid Commission is trying to find responsible savings. We ensure that we take the time to study how this approach would work for other programs such as Medicare. And because I see my friend in the Chamber, I will wrap up simply by saying that it is time to take out a sharp pencil and eliminate the hidden costs for taxpayers from advertised drugs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Madam President, I am pleased to join Senator WYDEN in the introduction of this legislation, which is a good-faith effort to try to find that fresh approach Senator WYDEN talked about, a fresh approach to deal with costs in health care, specifically in those areas where the Federal Government is directly purchasing pharmaceuticals: in the VA, where we have a very large direct purchase program that exists today, and within Medicaid, where both the Federal Government and the States are directly involved in purchasing and negotiating the pricing of drugs.

We are focusing on direct-to-consumer advertising. This is an area

where activity and cost have exploded over the last 6 or 7 years. Since 1997, when the Federal Government changed the regulations associated with direct-to-consumer advertising, we have seen advertising outlays for pharmaceuticals go from a little bit over \$1 billion to nearly \$5 billion per year this year. Those costs, as any costs would be, are passed on to consumers. In the case of these programs where the Federal Government is purchasing the pharmaceuticals in the VA and in Medicaid, that means that the cost, the impact, is disproportionately felt by the taxpayer.

This is an effort to try to find a way to reduce those costs, to give the Federal Government the power to make a distinction, as they negotiate prices—to make a distinction between those drugs that are advertised directly to consumers or marketed directly to consumers and those that are not, and to provide discounts to those companies or those drugs that avoid the additional costs of advertising.

This advertising, as I say, is expensive. The cost is passed on to taxpayers in these particular programs. I think there are also a lot of questions about the value that a flood of advertising might provide.

We have all been inundated by different types of advertisement, on TV or in magazines. It is costly, as I mentioned, but it also carries with it some risk of overutilization; of, in some cases, encouraging or leading consumers to believe that they need or would benefit by a particular medicine when it is not necessarily the best approach for them.

In some cases it is clear this advertising has been used to drive consumers away from lower priced generic drugs. I think this is one of the most problematic areas, and that has been seen and discussed at some length in the States, in their Medicaid programs.

This legislation presents an opportunity to get our hands around the cost issue, to fund some important studies, to take a closer look at questions of overutilization and the substitution I described. It represents a good start, I think, opening the debate with this discussion about dealing directly with health care costs in areas of the Federal Government as the principal purchaser.

There may be other options. In fact, Senator WYDEN and I talked about a few other approaches that are not included in this legislation. I think I can speak for the Senator from Oregon when I say we look forward to talking to our colleagues about other ideas that might be out there. We look forward to sharing ideas and information with producers themselves who, I hope, are willing to look at ways to help save the consumers money, help save taxpayers money, and help deal with direct-to-consumer advertising in a more responsible way.

We are going to do a Medicaid bill this year in the Senate. While we also

deal with some issues at HHS and the VA in this bill, certainly the costs associated with Medicaid and our recommendations with regard to Medicaid are a central part of the bill. I will work with Senator WYDEN and any of my interested colleagues to try to include and capture some of these ideas in Medicaid legislation this year.

It is a great opportunity to look at the issue of health costs and drug costs in a fresh way, in a different way. I very much appreciate the work Senator WYDEN has done in helping to craft this legislation and his willingness to lend his strong support, as a longstanding and more senior Member than I, as a member of the Senate Finance Committee, and as a Member of the Senate on the other side of the aisle.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 157—CONGRATULATING CARRIE UNDERWOOD FOR WINNING THE "AMERICAN IDOL" TELEVISION PROGRAM AND THANKING HER FOR BEING A POSITIVE ROLE MODEL

Mr. COBURN (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 157

Whereas Carrie Underwood was born in Muskogee, Oklahoma, on March 10, 1983, but Checotah, Oklahoma, lays complete claim to her as a native;

Whereas Carrie's parents are Stephen and Carole Underwood of the Onapa area of Oklahoma;

Whereas Carrie has two older sisters, Shanna Underwood Means, who teaches in Liberty Mounds, Oklahoma, and Stephanie Underwood Shelton, who teaches in Arkhoma, Oklahoma;

Whereas Carrie has delighted the residents of Checotah with her singing since her elementary school days;

Whereas during high school, Carrie sang in the Checotah High School's award winning chorus and excited audiences every year at the Robbin Emerson Memorial Talent Show, which raises money for scholarships;

Whereas Carrie was often kind enough to sing the National Anthem at high school basketball games;

Whereas Carrie excelled academically in high school and was the salutatorian of her 2001 Checotah High School graduating class;

Whereas Carrie began attending Northeastern State University after high school, where she is a senior majoring in mass communications with an emphasis in journalism;

Whereas Carrie performed for 2 years in Northeastern's Downtown Country Show in Tahlequah, Oklahoma;

Whereas Carrie auditioned in August 2004, in St. Louis, Missouri, for the "American Idol" television show;

Whereas Carrie was named to the top 24 on "American Idol" in mid-February 2005, and has been in Hollywood, California, performing weekly since;

Whereas although people in Checotah and Oklahoma are extremely proud of Carrie's phenomenal talent, they are even more proud of the kind of young person she has always been; and

Whereas Carrie Underwood is intelligent, kind, and considerate—undoubtedly one of

the finest young women anyone will ever meet: Now, therefore, be it

Resolved, That the Senate—

(1) takes great pride in congratulating Carrie Underwood of Checotah, Oklahoma, for winning the television program “American Idol”; and

(2) thanks Carrie Underwood for being a positive public role model and representing Oklahoma so superbly before an audience of millions of television viewers in this nation and around the world.

SENATE RESOLUTION 158—EX-PRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 11, 2005, AS “NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK”

Mr. GRAHAM (for himself, Mr. ALLARD, Mr. ALLEN, Mr. BAYH, Mr. BUNNING, Mr. CHAMBLISS, Mr. COCHRAN, Mr. DEMINT, Mr. DEWINE, Mrs. DOLE, Mr. DODD, Mr. DURBIN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Ms. MIKULSKI, Mr. SANTORUM, Mr. SESSIONS, Mr. SPECTER, Mr. TALENT, Mr. VOINOVICH, Mr. SCHUMER, Mr. BROWNBACK, Mr. OBAMA, and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 158

Whereas there are 105 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 11, 2005, as “National Historically Black Colleges and Universities Week”.

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 11, 2005, as “National Historically Black Colleges and Universities Week”; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

SENATE RESOLUTION 159—RECOGNIZING THE 50TH ANNIVERSARY OF THE OKLAHOMA INDEPENDENT PETROLEUM ASSOCIATION AND ITS MEMBERS VITAL CONTRIBUTION TO THE OIL AND GAS INDUSTRY OF THE UNITED STATES

Mr. INHOFE (for himself and Mr. COBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 159

Whereas the Oklahoma Independent Petroleum Association was founded and incorporated in the State of Oklahoma on January 13, 1955;

Whereas the Oklahoma Independent Petroleum Association was founded by independent oil and natural gas producers, and its membership is still comprised of independent producers, both large and small;

Whereas the founders of the Oklahoma Independent Petroleum Association possessed the leadership and vision to establish a unified voice for independent crude oil and natural gas producers;

Whereas the Oklahoma Independent Petroleum Association is the largest oil and gas advocacy group in the State, representing over 1,500 member companies in the crude oil and natural gas exploration and production industry and affiliated businesses;

Whereas the mission of the Oklahoma Independent Petroleum Association is to enhance and protect the ability of independent oil and natural gas producers in Oklahoma to conduct their business and to ensure energy supply;

Whereas the Oklahoma Independent Petroleum Association is a rarity in State oil and gas associations, with a full-time governmental affairs specialist and a full-time regulatory affairs specialist working with agencies that regulate the oil and gas industry;

Whereas the Oklahoma Independent Petroleum Association is a proactive and diverse organization striving to provide a broad range of services to its members and the industry it supports;

Whereas the leaders of the Oklahoma Independent Petroleum Association have worked successfully on behalf of Oklahoma independent producers on State and national issues, advocating for State and national governmental policies that protect and enhance the ability of Oklahoma independent producers to do business; and

Whereas the Oklahoma Independent Petroleum Association will continue to look toward the future by forging alliances within the oil and gas industry and with other organizations devoted to a more prosperous Oklahoma: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the Oklahoma Independent Petroleum Association;

(2) congratulates the Oklahoma Independent Petroleum Association for its 50-year history of contributions to the oil and gas industry of Oklahoma and the United States;

(3) recognizes that the Oklahoma Independent Petroleum Association has been and will continue to be an invaluable asset in developing and promoting the oil and gas industry in the United States; and

(4) directs the Secretary of the Senate to transmit a copy of this resolution to the Oklahoma Independent Petroleum Association as an expression of appreciation and for public display at the 50th annual meeting of the Oklahoma Independent Petroleum Association.

SENATE CONCURRENT RESOLUTION 39—TO EXPRESS THE SENSE OF CONGRESS ON THE PURPLE HEART

Mrs. CLINTON (for herself and Mr. HAGEL) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 39

Whereas the Purple Heart is the oldest military decoration in the world in present use;

Whereas the Purple Heart is awarded in the name of the President of the United States to members of the Armed Forces who are wounded in conflict with an enemy force or are wounded while held by an enemy force as prisoners of war, and posthumously to the next of kin of members of the Armed Forces who are killed in conflict with an enemy force or who die of a wound received in conflict with an enemy force;

Whereas the Purple Heart was established on August 7, 1782, during the Revolutionary War, when General George Washington issued an order establishing the Honorary Badge of Distinction, otherwise known as the Badge of Military Merit;

Whereas the award of the Purple Heart ceased with the end of the Revolutionary War, but was revived in 1932, the 200th anniversary of George Washington’s birth, out of respect for his memory and military achievements; and

Whereas National Purple Heart Recognition Day is a fitting tribute to George Washington and to the more than 1,535,000 recipients of the Purple Heart, approximately 550,000 of whom are still living: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the goals and ideals of National Purple Heart Recognition Day;

(2) encourages all people of the United States to learn about the history of the Purple Heart and to honor its recipients; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart.

SENATE CONCURRENT RESOLUTION 40—RECOGNIZING AND COMMENDING THE PRESIDENT AND THE GOVERNMENTS OF OTHER COUNTRIES THAT HAVE PARTICIPATED IN THE PROLIFERATION SECURITY INITIATIVE FOR THE HISTORIC EFFORTS AND SUCCESSSES OF THE PROLIFERATION SECURITY INITIATIVE IN REDUCING THE THREAT POSED BY ILLEGAL TRAFFICKING IN WEAPONS OF MASS DESTRUCTION, THEIR MEANS OF DELIVERY, AND RELATED MATERIALS, ON THE OCCASION OF THE SECOND ANNIVERSARY OF THE ESTABLISHMENT OF THE PROLIFERATION SECURITY INITIATIVE

Mr. LUGAR submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 40

Whereas, on May 31, 2003, at Wawel Royal Castle, Krakow, Poland, President George W. Bush declared that “today I announce a new