

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. ENZI. I yield back, with the consent of both sides, the 2 minutes that was to be available on both sides. I yield back that time.

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

Mr. ENZI. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 106, as modified.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—98

Akaka	Dorgan	Menendez
Alexander	Durbin	Mikulski
Allard	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Bingaman	Graham	Obama
Bond	Grassley	Pryor
Boxer	Gregg	Reed
Brown	Hagel	Reid
Brownback	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thomas
Corker	Lieberman	Thune
Cornyn	Lincoln	Vitter
Craig	Lott	Voivovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Whitehouse
Dole	McCaskill	Wyden
Domenici	McConnell	

NOT VOTING—2

Biden Johnson

The amendment (No. 106), as modified, was agreed to

Mr. DURBIN. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

VA and Medicare Drug Price Negotiation

Mr. AKAKA. Mr. President, much has been said recently about the way in which VA purchases drugs and the manner in which medications are provided to beneficiaries. This discussion has been a part of the ongoing debate to allow Medicare to negotiate for drugs on behalf of its beneficiaries.

Concerns have been raised about veterans' access to drugs, the quality of the benefit, and VA's formulary and pricing. Veterans medication coverage has been misunderstood. I would like to take this opportunity to set the record straight about the process by which VA achieves drug cost savings and the level of care afforded to veterans.

VA is different than Medicare for a variety of reasons, there is no doubt, but I believe some lessons can be applied to address Medicare drug prices.

While there is no question that VA's formulary is an important component of VA pharmacy management, decisions about which drugs are on the formulary are not made by bureaucrats nor are they made by those solely concerned about the bottom line.

VA employs a scientific review process to select drugs to be available to beneficiaries and to ensure quality care. Physicians and clinical pharmacists from the VA's regional offices manage the formulary.

While some concern has been expressed that the VA formulary covers only 30 percent of the 4,300 drugs available on Medicare's market-priced formulary, this is not the case. Rather, it is my understanding that VA actually offers 11 percent more drugs than are available under Part D of Medicare.

VA offers 4,778 drugs by way of a "core" national formulary which requires that they must be made available at all VA medical care facilities. If a drug is needed which is not on the formulary, VA has a quick process to ensure that the drug will be prescribed. This off-formulary process is so robust, in fact, that last year, VA dispensed prescriptions for an additional 1,416 drugs. So, to put a finer point on this, when a non-formulary medication is clinically needed—it is provided.

To those who argue that VA's formulary is "among the most restrictive in the marketplace," I would only say that the Institute of Medicine took a good long look at VA and found that in many respects it is actually less restrictive than other public or private formularies.

The chairman of the IOM committee said that if VA did not have a formulary process like it has, they would have indeed urged that one be created just like it.

Some have suggested that veterans receive substandard care because of the VA drug benefit. The literature says

otherwise. Veterans get better pharmaceutical care than private or public hospitals, according to a study last year published in the Archives of Internal Medicine.

VA's mail order pharmacy has been criticized, as well. VA employs nearly 10,000 pharmacists and technicians and is regarded by many pharmacy organizations as excellent. VA also operates 230 outpatient pharmacies. VA also trains more doctors of pharmacy than any other single organization in the U.S. And most significantly, while the error rate for prescriptions in the U.S. is between 3 and 8 percent, the error rate in VA is less than one one-hundredth of one percent.

In VA, new drugs are reviewed on their merits and are made available quickly if they provide distinct benefits. Safety and how well a drug works are the most important considerations in the review process, followed by cost.

I could go on. We know that VA gets the best prices, but I think the essential question is: Do veterans get the necessary drugs to promote the best health care? The answer—based on peer-reviewed studies—is a resounding yes. The quality of medical care in VA is significantly higher for overall quality in chronic care and preventative care.

And if some believe that veterans aren't happy with their drug access and pricing, it is news to me, and to the administration. Just last week, VA announced results of a survey done by an independent reviewer of customer satisfaction. For the seventh straight year, the Department of Veterans Affairs has received significantly higher ratings than the private health care industry. VA's marks keep continuing to rise.

When veterans' groups testify before Congress about their needs and desires, the only thing they say about their drug coverage is that they want to keep it the way it is.

Peer-reviewed studies, veterans service organizations, polls, and consumer reports consistently testify to the superiority of VA health care over private sector care. The VA formulary has been repeatedly reviewed and approved by Congress, GAO and the Institute of Medicine. Consumer choice provides clear insight into the success of the VA pharmacy management system.

We can learn a number of lessons from the VA as we consider Medicare price negotiations. I support drug price negotiation by Medicare. As chairman of the Veterans Affairs Committee, I will closely monitor the evolution of this issue to ensure VA retains access to affordable drugs. The gains that can be made in Medicare—and the improvement of quality—are just too great to do nothing.

I ask unanimous consent that the VA's summary of the study to which I previously referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOURNAL ARTICLE PRAISES VA HEALTH CARE—SECRETARY NICHOLSON: FURTHER PROOF OF VA'S TOP QUALITY CARE

WASHINGTON.—“One of the most striking examples of American health care success”—that is one medical journal’s recent assessment of the health care system operated by the Department of Veterans Affairs (VA).

The most recent tribute to VA’s health care system came in an article in the medical journal *Neurology*.

“The quality of VA’s health care system is recognized by medical professionals and, most importantly, by veterans,” said Secretary of Veterans Affairs Jim Nicholson. “Repeatedly, the medical community holds up VA’s health care system as a model.”

“The VA has achieved remarkable improvements in patient care and health outcomes, and is a cost-effective and efficient organization,” according to the journal. For example, the article cited VA’s comprehensive coverage and said it is especially suited to manage chronic disease.

Dr. Michael J. Kussman, VA’s Acting Under Secretary for Health, said the article underscores the Department’s commitment to high quality patient care.

“This shows that VA’s health system is recognized internationally as the benchmark for health care services,” Dr. Kussman said. “It further demonstrates that our commitment to high quality care is benefiting the men and women who have earned the best possible care through service to our country.”

The *Neurology* article is the second recent study citing the quality of VA health care. In December, a comprehensive study by Harvard Medical School said federal and military hospitals, such as those run by the VA, provide the best care available anywhere for some of the most common life-threatening illnesses.

In 2006, VA received the prestigious “Innovations in American Government” Award from Harvard’s Kennedy School of Government for its advanced electronic health records and performance measurement system.

Mr. AKAKA. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator, my friend from Hawaii, for his excellent presentation. I pay tribute to him for his extraordinary work on behalf of the veterans of this country. He has been the real leader in the Senate on this issue, particularly for those who have suffered the wounds of war. He has been a tireless advocate to make sure we get the very best focus and attention to them. We have listened to him frequently. I hope the Senate will pay close attention to his words and his findings and his urging for this body.

I thank him for his comments, as always.

AMENDMENT NO. 71 TO S. 1

Mr. NELSON of Nebraska. Mr. President, as I have mentioned before, last year Washington was rocked by the Abramoff scandal and other misdeeds. I am pleased that Congress has shown it is taking seriously its responsibility to the American people by revisiting and tightening the rules and laws that govern Members of the Senate. Many have said that S.1, which overwhelmingly

passed out of the Senate last week, includes the most sweeping ethics reform measures since Watergate.

There is one point that I discussed and pushed forward during last year’s debate that I believe needs to again be part of what we are doing now. Last year I offered a sense-of-the-Senate amendment to make many of the reforms we have considered throughout this ethics debate apply to all branches of Government. I am pleased that this sense of the Senate was accepted and is included in the underlying bill.

During the debate last week, I filed an amendment, No. 71, which builds upon the principle behind this sense of the Senate—that the standards employed in this bill should be the minimum standards that guide the other branches of Government. I thought this was a good amendment—in fact, a necessary amendment—that ought to be accepted into this bill. Unfortunately, that did not happen. I have spoken with some of my colleagues and understand that though there is general support for the principle that ethics standards in the executive branch should be as stringent as those made applicable by this bill, some of my colleagues believe the provisions of this amendment warrant further evaluation. Though I am disappointed this amendment will not be included on this bill, I respect and appreciate the importance and value of committee evaluation and will look forward to working on this issue as that committee process proceeds.

Mr. LIEBERMAN. I would like to thank my friend and colleague from Nebraska for bringing this amendment and important issue forward. The Senate Committee on Homeland Security and Governmental Affairs has jurisdiction over these issues which impact the executive branch. As chairman of that committee, I can appreciate that this amendment warrants more thorough evaluation and deliberation. Later this year, the committee will consider the reauthorization of the Office of Government Ethics—the executive branch’s ethics arm. I look forward to working with my friend from Nebraska on the issue throughout the year and as we consider this reauthorization and other matters.

Mr. NELSON of Nebraska. I thank my good friend from Connecticut. I appreciate his thoughtfulness in this debate, and I look forward to discussing it further as his committee proceeds this year.

UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAMME

Mr. CRAPO. Mr. President, as modern communication makes our world increasingly smaller, linking global societies at unprecedented business, government and social levels, it is critical that America and other democracies worldwide engage in a process of ongoing co-education about the efforts and work of democratic governments. This educational exchange is best facili-

tated by hands-on learning and personal experience. A terrific example of this effort is the Uni-Capitol Washington Internship Programme, in which outstanding college students from seven of Australia’s top universities compete for the opportunity to serve as interns for Members of the U.S. Congress. In its eighth year, the program has facilitated internships for 68 Australian students thus far.

I am fortunate to be able to participate this year. Charis Tierney from Brisbane, Queensland, has been a wonderful addition to my office this winter. She says of this opportunity:

The UCWIP has been a once in a lifetime to not only observe but participate in the work of the U.S. Congress. Working within Senator Crapo’s office has given me the kind of unique appreciation for the United States Senate’s work that can only be gained from behind the scenes. My daily interaction with the fantastic staff of the Senator’s office has only enhanced the experience.

I offer my congratulations to Director Eric Federer and his wife Daphne for their support and dedication of this important educational program. The additional activities such as visits to historic sites, meetings with other government agencies and outside organizations and special events helps enhance the experience for these promising young women and men. The Federers’ commitment to comprehensive bilateral civic education has made it possible for students like Charis to take their experiences here in the legislative branch of the U.S. Government back to Australia and apply lessons learned as they pursue their own course of study across a wide range of academic pursuits.

This valuable program bridges the 9,000 miles that separate the United States and Australia with the friendship of shared experiences and realization and application of common goals and interests.

RECOGNIZING CONNIE FEUERSTEIN

Ms. STABENOW. Mr. President, I rise today in celebration of my longtime friend and staff member, Connie Feuerstein. After working with me for over a decade, Connie has decided to join her husband, Jack, in retirement.

Long before joining my staff, Connie was active in her church, community, and Genesee County politics. Her efforts were critical in my successful campaign for the U.S. House of Representatives in 1996, and I am so fortunate that she was willing to join my congressional staff.

For Connie, her work has always been so much more than just a job. She brings such passion and energy to everything she does. Whether it is attending a community event, walking in a parade or advocating on behalf of a family or for the needs of her community, Connie always gives 110 percent to whatever she is doing.

As a district representative in my congressional offices in Brighton and