

health perspective, our children receive. It has been very successful. This program also reduces the burden of litigation for doctors and nurses who administer the vaccines, as well as for manufacturers.

Until a few years ago, the program seemed to work very well. But now factors threaten it from working so well and will cause an impediment to the supply of vaccines over time. Let me briefly explain.

We have had a rush of new law suits, which are threatening our vaccine supplies. The Vaccine Injury Compensation Program is literally being overwhelmed today with new cases. Many of those are broadly without merit. As a result of the program's 240-day decision deadline, State and Federal courts are increasingly becoming the forum for expensive litigation. And many of the meritorious claims and justified claims are not being decided in a timely way.

One pending lawsuit is for \$30 billion in damages—\$30 billion. If you look at the whole value today of the global vaccine market, the total value is only \$5 billion. This one lawsuit is six times the global market for vaccines.

This climate of legal uncertainty has contributed to an exodus of manufacturers from being in the business at all and also from being in the business here in the U.S. We have seen a subsequent rise in the price of vaccines. Since the 1980s, the number of vaccine manufacturers has dwindled from 12 down to 4. In some cases, only a single manufacturer is producing some of our most critical vaccines. The Improved Vaccine Affordability and Availability Act—S. 2053—restores balance to the Vaccine Injury Compensation Program. It would help compensate those with serious health side effects from vaccines while at the same time ensuring that unwarranted litigation does not further destabilize our vaccine supply.

The development and widespread use of vaccines indeed has been one of the most successful public health initiatives in our history. We have reduced the incidence of diseases, such as measles, mumps, and polio, and we have even eradicated smallpox—which over a period of time has killed somewhere between 300 million to 500 million people in the 20th century alone. Smallpox as a disease does not exist.

The decision before us is whether or not to build on the successes that we have achieved in vaccines in the 21st century. I speak not only of vaccines that already exist—the vaccines for our children that are in short supply—but also as we look at the role of future vaccines needed to address bioterrorism—when we know we don't have the vaccine for the Ebola virus today. We have inadequate vaccines for three of the seven agents that are classified by our intelligence agencies as critical and for which we are at risk. Some day we will have a vaccine, I believe, that will hopefully cure Alzheimer's disease.

What we are looking for is a platform—a comprehensive approach for all vaccine development.

The Improved Vaccine Affordability and Availability Act will help us to expand the vaccine market. It will stabilize our vaccine supply, and it will improve access to vaccines.

When parents take their children to the doctor, they will not be turned away because of a shortage of supply of these vaccines.

Earlier this month the Improved Vaccine Affordability and Availability Act gained additional momentum when the Advisory Commission for Childhood Vaccines—the group that advises the Secretary of Health and Human Services on improving the Vaccine Injury Compensation Program—voted on June 6 in favor of most of the provisions in our bill, S. 2053.

I thank the members of the Advisory Commission for Childhood Vaccines, or ACCV, for acting so quickly on a matter of such importance, and also for lending their expertise to this debate. Further, I thank them and express my appreciation for their suggestions in how we can modify some of the provisions in the bill.

I urge my colleagues to look at this particular bill and I look forward to working with my colleagues as we move forward in considering the ACCV recommendations.

The need to act is urgent. We simply cannot afford to wait until tragedy strikes, or to surrender the gains we have made over the last 50 years in reducing and preventing childhood diseases through vaccination. I urge my colleagues to join Senator HUTCHISON and Senator BUNNING in cosponsoring S. 2053, and to work with us to pass this critical legislation this year.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Thank you, Madam President.

#### THE DEPARTMENT OF DEFENSE AUTHORIZATION BILL

Mr. SESSIONS. Madam President, I would like to share a few remarks about the Defense bill that we will be back on in a few minutes.

Mr. DORGAN. Madam President, will the Senator yield for a unanimous consent request?

I ask unanimous consent that this Senator be recognized for 10 minutes following the Senator's remarks.

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

Mr. SESSIONS. Madam President, we have had a good process in the Armed Services Committee, of which I am a member. Senator LEVIN is a marvelous chairman, and leads in a very skilled and wise way. Our ranking member, Senator JOHN WARNER, former Secretary of the Navy and a patriot, in many ways lends his wisdom to the debate. We have come out, except I suppose on national missile defense, with a

bill with which we feel comfortable. I think a large amount of the credit goes to President Bush for stepping forward and providing leadership in calling for a strong budget.

I thought I would just share a few remarks about my view of where we are, what we are spending, what we have been spending in the past, and where we need to go in the future.

Many people may not know that 10 years ago, under the last budget of former President Bush, the appropriated amount for defense was \$327 billion. We started, since that time, a continuous downgrade movement in spending for the defense of this country, which has really put us in a bad position.

Several years ago, one of our key witnesses said we are facing a bow wave of unmet needs. We know that since the late 1980s personnel has dropped 40 percent in our services. They are better trained and better equipped than before. They are doing a terrific job, but we are down about 40 percent from the height of our personnel at that time.

So what is it that has really happened? We have had inflation. In many ways, we have had increased demands on us around the world. We have a demand that we have all agreed to in this body of which I think everybody is on board; and that is, we need to transform our defense. We need to reach our objective force. We have set an objective as to what we want our military to look like and be. We want it lighter. We want it more mobile. We want it more lethal, more scientific, and technologically based. That has been our goal, and we have been moving in that direction, but it costs money.

But despite those demands, we have not done very well, until recent years, frankly, in our spending. In 1993, our defense budget was \$327 billion. That is what we appropriated, \$327 billion. In 1994, it dropped significantly in one year to \$304 billion. In 1995, it dropped again to \$299 billion, falling below \$300 billion. In 1996, it dropped again to \$295 billion. In 1997, it dropped again to \$289 billion. In 1998, it hit the bottom, \$287 billion.

During this time, we had inflation, we had other demands, and we had salary increases for our people in uniform, but the defense amount was going down steadily.

In 1999, we had the first increase in the defense budget from \$287 billion in 1998 to \$292 billion in 1999—not enough, really, to meet the cost of inflation, but in real dollars, actual dollars, it was the first increase in many years.

In 2000, we had another minor increase to \$296 billion. In 2001, we got over \$300 billion again, for the first time in many years, and appropriated \$309 billion.

That is not a very good record. It emphasizes how we began to lose sight and take for granted the forces that defend us around the world. It represented a dramatic reduction in real

dollars, adjusted for inflation, which is even larger than the amount that appears on paper because, as you know, the dollars were becoming always a little bit less valuable each year.

So when President Bush campaigned on strengthening the military, he took action to do that. So in 2002, we hit, under his leadership and his direction—and I think he deserves great credit for this—we raised the budget to \$329 billion, exceeding, for the first time in many years, the 1993 budget of \$327 billion.

Then, in the course of that, we have had the war effort that we have been carrying on now against terrorism, and there has been a supplemental defense budget of around \$40 billion for defense this past year to help us meet those crisis needs.

In this year's budget, President Bush has proposed—and we are pretty much on track to meet his request—\$376 billion for defense. I think that is a step in the right direction.

I am saying these things because a lot of people think we cannot afford anything, that defense is taking up all the money in the budget. But as a percentage of the total gross domestic product of America, what America produces—all the goods and services we produce—our budget today, for the year 2003, is much less than the percentage of the gross domestic product we had in 1993 when we had an only slightly smaller defense budget in terms of inflation-adjusted dollars, as well as in terms of the actual drain on the economy.

So what we need to do is ask ourselves where we are going. This budget does not call for an increase in personnel. It calls for, again, some pay increases, a cost for more training, bonuses for people in high-specialty areas whom we have to have in a military which operates with as much technological sophistication as we operate in today. That does not produce anything.

We have risen to the challenge and have met the needs of our veterans for health care coverage for life, which they were promised and were not receiving. We have done that. We will do some other things in that regard.

Military housing has fallen behind in its needs. Military health care has not been what it has needed to be. We have fallen off there.

So all of these things, I guess I am saying, are unmet needs that we have had to fund out of the increases that we have had. And it has left us not as good as we would like to be in recapitalizing our military. It is not as good as where we would need to be to step forward to reach that objective we have for a future combat system that allows us to be agile, mobile, and hostile, as Eddie Robinson said, to make our military able to project its power wherever the legitimate interests of the United States are threatened around the globe.

So I think we do have some good increases. We are going to have increases

for smart munitions, the kind of precision-guided munitions that proved exceedingly valuable in Afghanistan. Sixty, almost 70 percent of the munitions we expended in Afghanistan were precision-guided munitions.

We can drop a 2,000-pound JDAM from an airplane, and it can hit—precision guided with global positioning systems—within 10 meters of a target. That is a precision weapon of extraordinary capability. We need to have plenty of those. We have an increase in what we have expended for that. Frankly, I am not sure we have quite enough yet there. We do not want to be in a war and not be able to call down sufficient numbers of those kinds of weapons that are so effective today. So we have done that.

We made a tough call—the Defense Secretary did—on the Crusader artillery piece. It is an \$11 billion item. It was not considered part of the objective force but an interim weapon system before we could get that. It was going to drain us of \$11 billion. For example, it would not have been deployed by the Army in Korea. It would have been kept in this country in the counterattack force.

The Secretary of Defense and the President concluded we could not afford that new weapon and that we need to leap forward to a new type of artillery piece that had precision-guided capability. We have those, really, right now. If we work and develop them, we could bring those in, and they would be part of that new combat system we are looking forward to having.

So the President and Secretary Rumsfeld had to make that tough call. A lot of people wanted that system. They had invested a lot of years in it and developing it. They testified in favor of it, and they voted in favor of it. But I think the President did the right thing. I supported him on that. It will free up \$11 billion for increased investment in smarter munitions that will help us better in the future.

So the other big conflict I guess we have had—and I believe it is very significant, and I hope the American people will be engaged on it—is the question of national missile defense.

We know, from unclassified testimony by professionals from the Director of the CIA, George Tenet, and from the Director of the Defense Intelligence Agency, who studies these things exceedingly closely, that Korea will have an intercontinental ballistic missile from which they can deliver weapons of mass destruction to Alaska and Hawaii and the United States proper very soon.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. SESSIONS. I see my friend in the Chamber, Senator DORGAN.

I will just finish up, if I can, and say that we are making progress. We will have a debate on national missile defense. If we can get the money back for that, I believe we will have a defense budget of which we can all be proud.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Madam President, my colleague just mentioned national missile defense. I think we will have a robust, aggressive debate on that subject in the Senate. We all agree that we need a defense of some sort against rogue nations or terrorists aiming a missile at our country.

But we need to look at the broad range of threats that this country faces. We have 5.7 million containers come into our ports every year on container ships; 100,000 of them are inspected; the other 5.6 million are not. Almost anyone will tell you it is far more likely that a weapon of mass destruction is going to come in on a container ship, coming to a dock at 2 miles an hour to threaten an American city or to be put on an 18-wheel truck and moved out to the middle part of the country. Almost anyone will tell that you the low-tech approach to threatening America with a weapon of mass destruction is much more likely than a terrorist having access to an intercontinental ballistic missile and putting a nuclear tip on that ICBM.

I have supported billions and billions of dollars on research and development of missile defense. But that is not the only threat we face. We face so many other threats that are largely ignored. I just mention the one with respect to port security: 5.7 million big containers come in every single year, and 5.6 million are uninspected.

In the Middle East, a terrorist put himself in one of these containers. He had fresh water, a heater, a GPS, a computer, a bed, and he was shipping himself to Canada in a container.

It is likely that terrorists will threaten this country not with a high-tech weapon but by putting a weapon of mass destruction in a container on a ship coming up to a port at 1 or 2 miles an hour, not an ICBM.

So we need to have a debate in terms of how we use our resources. Do we put them all in one pot, or do we evaluate what is the most likely threat? How do we respond to that threat?

#### AMTRAK

Mr. DORGAN. Madam President, I rise to talk about Amtrak. As we did last week, this morning we hear on the news that there is a proposal to shut down our Amtrak rail passenger service in the middle of this week. Why? Because Amtrak needs the resources to continue and lacks them. You know, you often hear that it is so-and-so's job to keep the trains running on time. Well, it has to be somebody's job to keep the trains running, period. It makes no sense for us to be here on a Monday wondering whether Amtrak will shut down on a Wednesday.

In North Dakota, we have Amtrak service; 82,000 North Dakotans boarded Amtrak last year as the trains came through and stopped at many points. I