



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, JULY 16, 2002

No. 96

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON S. CORZINE, a Senator from the State of New Jersey.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

William James gives us a thought for today and a call to prayer:

We and God have business with each other. And in opening ourselves to His influence our deepest destiny is fulfilled. The universe, at those parts of it which our personal being constitutes, takes a turn genuinely for the worse or better in proportion as each one of us fulfills or evades God's demands.

Gracious God, we open ourselves to the influence of Your Spirit. Think Your thoughts through our minds; express Your love through our emotions; accomplish Your plans through our wills. We invite You to take control of our lives and use us today. Bless the Senators with an awareness of Your presence, an assurance of Your help, and an accountability to You for the work of this day. Help us all to fulfill our destiny as Your faithful servants today. Thank You for the privilege! You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON S. CORZINE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD.)

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 16, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON S. CORZINE, a Senator from the State of New Jersey, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CORZINE thereupon assumed the Chair as Acting President pro tempore.

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 now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the Republican leader or his designee.

Under the previous order, the second half of the time shall be under the control of the majority leader or his designee.

In my capacity as a Senator from the State of New Jersey, I suggest the absence of a quorum. Without objection, the time for the quorum call will be evenly divided.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MEETING THE SENATE CHALLENGES

Mr. THOMAS. Mr. President, let me take a couple of minutes to speak on a couple of subjects which I feel very strongly about and that we are facing.

First of all, I want to talk about energy. Certainly, during this whole year we have been giving consideration to and having some emphasis on energy. The public interest has been higher, and we have problems. When gas prices are higher, everybody recognizes the issue that we have with energy. But when those settle down a little, the problem is still there. We in the Congress have tried to deal with it for this whole year. Now we are in the process of having a conference committee try to come out with conclusions. I just wanted to urge that we move forward with the conference committee and that we finally come up with an energy policy in this country. We do not have one.

We find ourselves in the position of being nearly 60 percent dependent on importation of oil in order to meet our needs. We don't want to be in that position, particularly with the unrest in the Middle East from where much of our oil comes. We certainly need to find solutions that will make us less dependent. It is not only an energy issue, it affects our economy. I do not know of anything that affects our economy more than energy. We use energy when we turn on our lights, when we have heat, and when we have air-conditioning.

In terms of the economy itself, nothing is more important than energy.

I am hopeful that we can move forward. We have put together a conference committee. The House bill is somewhat less extensive than the Senate bill. On the other hand, certainly there are a great many things in which there is common interests. Someone reviewed it and found that there are probably 55 issues in which we have a common interest.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We need to move forward. We are ready to do something. The committee has not yet actually met. Staff is meeting. I just can't say how important it is for us to move forward and complete that conference committee and bring those issues back to the Senate and the House before the September time expires.

We are talking, of course, not only about the idea of having increased production in our country, which we can have, we are also cognizant about renewables. We are talking about research to make coal cleaner for the air. We are talking about all kinds of issues with a balance between production and conservation. That is what we ought to be doing in policy.

I am really anxious that we find a way to move forward. Obviously, there are some issues on which there is disagreement: For example, an opportunity to have production in ANWR on the North Slope, which is part of the House bill and not part of the Senate bill. We ought to resolve that and come to a conclusion. That ought not be what holds up having an energy policy in this country. We can deal with the idea of having access to public lands so we can have production. And we can conserve and protect the environment at the same time. We have done that for a very long time in the West where most of the public land is located. We can do that.

There are those who try to make the point that if you have access to the land, it suddenly is going to be spoiled, and so on. That doesn't need to be the case. There are ways in which we can have effective production and at the same time have effective maintenance. Obviously, there are areas in which we don't want to have that kind of use, whether it be wilderness or the national parks or special parts of the forest. But, in general, half of Wyoming belongs to the Federal Government. The largest percentage of that is Bureau of Land Management lands. Those are lands that ought to be available under law for multiple use. Certainly, it should be used carefully. We want to do that.

There is also a great debate over what we do in terms of trying to get better efficiency out of our energy. And we can do that. There is a great debate on CAFE standards and mileage standards and whether that ought to be the best we can do or whether that ought to be put in law over a certain length of time. Again, we can resolve those issues.

The idea of using ethanol can also be resolved. We need to work at it.

The other issue that obviously is going to be on the floor right away is one that we have worked on in the Finance Committee for some time; that is, prescription drugs and pharmaceuticals, which we will be talking about today, and, as I understand it, from the leader's comments, probably for the next 2 weeks, which is fine. It is an issue that really needs to be re-

solved. Obviously, it impacts a great many people in this country, particularly those on Social Security, the elderly.

More and more, we find ourselves utilizing pharmaceuticals. Hopefully, that has been helpful to health care. Utilization is one of the reasons, of course, the costs per individual have gone up, in addition to the price of pharmaceuticals.

In the Finance Committee we worked on this bill, which is where the jurisdiction is. But I am disappointed that coming to the floor with a bill that has been approved by the committee is apparently not going to happen. The leader is going to go ahead and has already put a bill on the floor that has to do more with the patent rights than it does on the whole question of pharmaceuticals, and then to bring a bill as he chooses to do it as opposed to the committee approving a bill.

Interestingly enough, that is exactly what happened with energy. The bill was taken out of the Energy Committee by the leadership here, and then we dealt with it on the floor for I don't remember how many weeks. But that is not the way we are supposed to work.

We have committees and committees are supposed to report and bring their recommendations to the floor so that the great detail of these things has already been done. When you do not do that, then it comes to the floor, and we find ourselves, as we are now, frankly, behind in the work we ought to be doing towards the end of this session, and largely because of the idea of going around the committees and then bringing these controversial issues to the floor.

I do not think pharmaceuticals are controversial in terms of us wanting to deal with it, but there are lots of things in it. It is a very difficult issue. I am disappointed—if that is finally the way it works out—that we don't have a bill reported from the committee of jurisdiction.

It is a tough issue. There are lots of issues to talk about. Who should be the beneficiaries of a pharmaceuticals program of this kind? There are some who want it for everyone. There are some who want it simply as part of Medicare. And then, should the emphasis be on low-income individuals or should it be for everyone? I do not know the answer, but that is one of the issues that has to be talked about.

What can we do in terms of trying to get better prices, in terms of having prescription drugs available for people to buy? Or do we simply want to subsidize them at whatever price comes out? It is a very difficult issue, and one with which we have to deal.

Since we are talking about a kind of stand-alone situation with pharmaceuticals, we have to talk about a delivery system. How do you do this? How do you do this to allow for the local pharmaceutical, the local drug stores, the local pharmacies to be able

to participate, as well as mail distributors? I think that is very important, particularly for those of us in rural communities. We need to make sure the drug system—whatever we come up with—and the delivery system are available in rural areas. We find some problems with that generally in terms of health insurance. In low-population areas, there are not the choices available as in other places. We need to ensure that is the case.

And then there is the cost, of course. There are at least three proposals that will be before us. One of them—I think it is called the Graham bill—will be one that gives very extensive coverage but over a 10-year period costs nearly \$1 trillion, apparently. At least that is the best sort of pricing that we can get so far.

There is one that is the tripartisan bill. That comes out to a price of about \$370 billion over 10 years. Again, it is difficult to get the scoring on these, but we have that.

And then, of course, there is another proposal out there. I think it is the Hagel bill. That is largely one in which there is a group purchasing process, and you would belong to the purchasing card arrangement and basically use the idea of volume to be able to have substantially less cost. I think it would cost about \$150 billion. I never thought I would be talking about \$150 billion being less, but that, nevertheless, is the way it is.

So we are faced with some tough decisions. Unfortunately, we will not have a committee-approved bill before us to deal with, I am afraid. The difficulty with that, of course, is that in the Senate we also do not have a budget; therefore, a point of order rises on anything that is above what was considered to be in the budget, which is \$300 billion. So a point of order can be raised on two of these three bills that I mentioned; and then it takes 60 votes to get those passed. If there are not 60 votes, they will not be successful.

I think we find ourselves in a real difficult situation in dealing with something that almost everyone wants to complete. Unfortunately, it now becomes something of a political issue in terms of what you can do during the election period to talk about what an advocate you were on the floor. That should not be the purpose. The purpose ought to be to come up with a workable program designed to deal with the people in most need of assistance, designed to have a delivery system that gives people some choices which comes through the private sector; and those choices would exist all around the country, not simply in cities and highly urbanized areas, with some control over cost.

We are finding ourselves, obviously, in a great spending spree. Part of it, of course, is the result of terrorism and some of the events that have happened, and partly as a result of less revenue coming in as a part of the economy.

So I guess on balance I am saying we find ourselves in a tough position. I

hope we can zero in on what it is we want to accomplish and find the best method of accomplishing that and get it done in the very near future.

So I think we have lots of challenges before us. I mentioned a couple: energy, pharmaceuticals. We ought to be able to get a budget so we have limitations on our spending. In the Senate, we obviously have not yet begun to deal with the 13 bills that we need on appropriations. We have not started on that.

So I think we have allowed ourselves to get into a pretty tight situation in terms of dealing with the issues. I am pleased that yesterday we were able to at least complete something in the accounting area that will deal with some of the problems we have seen in terms of corporate misbehavior. Hopefully, that will work. So I just wish we could move and get on with the work we know we have to do.

I yield the floor.

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent to be recognized in morning business.

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

14TH INTERNATIONAL CONFERENCE ON AIDS

Mr. DURBIN. Madam President, last Friday, July 12, the 14th International Conference on AIDS closed in Barcelona, Spain. This year's theme was "Knowledge and Commitment for Action."

More than 14,000 doctors, activists, and government officials gathered in Barcelona for the largest AIDS conference ever.

At the last conference, hosted in Durban, South Africa, in the year 2000, the concluding plan, by all the nations that assembled, was to take action on the following items: To spread the use of condoms as a means of avoiding infection; to curb mother-to-child transmission of AIDS and HIV; to empower women to choose their relationships and method of contraception freely; and, finally, to educate people about the risks.

The last 2 years have shown that all four of these activities can be done successfully.

Another success achieved in the past 2 years is the focus shift to providing treatment for all. This has been a result of lower drug costs and the realization that people will not get tested unless there is hope of treatment.

The opening session featured the Barcelona Declaration, which called for action on the following goals by the year 2004: Secure a donation of \$10 billion per year for Global AIDS—\$10 billion—provide 2 million people in the developing world with antiretroviral treatment; third, provide affordable drug treatment in the developed world and universal access to generic brand drugs in the developing world; and

fourth, develop a new global partnership between government and non-government organizations, recognizing the crucial roles that NGOs play in the fight against AIDS.

The Barcelona conference has brought a great deal of attention to HIV/AIDS. Newspapers daily provide America with devastating facts. UNAIDS warns that the AIDS epidemic is just starting. An estimated 5 million new HIV infections occurred worldwide during 2001. That is about 15,000 infections every single day. More than 95 percent of these occur in developing countries. In 2001, 5 infections each minute occurred in young people age 15 to 24, approximately 6,000 young people in total. Worldwide, 13.4 million children have lost at least 1 parent to AIDS. That number is expected to grow to more than 25 million by the year 2010.

We tend to view AIDS and its growth as a Third World problem. We hear the statistics: 40 million infected people in sub-Saharan Africa; 15 million AIDS orphans or more in sub-Saharan Africa; projections by the World Bank that there will be over 20 million infected people in India alone in the next 5 to 10 years; all of the talk about China and Russia.

Never should we overlook the problem in the United States. AIDS is still a problem; HIV infection is a reality. It is growing particularly among the African-American population in America. It is growing particularly among heterosexuals and among women. This is a problem we have not conquered. In fact, we have not confronted it honestly in the United States for too long a period of time.

UNAIDS has just issued a report on the situation in China. The report is called "China's Titanic Peril" because the U.N. agency said, if China doesn't act now, this boat will sink. The Chinese Government estimates 850,000 are infected. The U.N. report indicates the Chinese Government lacks political commitment and thus far has not provided sufficient resources to deal with it. Seventeen percent of the people in China have never heard of the disease. China, India, and Indonesia are on the brink of outbreaks that could dwarf the current epidemic.

AIDS is the leading cause of death in sub-Saharan Africa. More than 28 million Africans are infected with it. HIV/AIDS weakens economic and political stability, national security, and agricultural output, all necessary for continued development.

The cost of AIDS rises each minute that the epidemic grows. Without a drastic change in the global approach to the HIV/AIDS epidemic, it is expected that an additional 45 million people will be living with AIDS by 2010. From the facts reported in the daily newspapers, it is clear that current spending levels are grievously insufficient to address the global epidemic.

In 1993, experts asked the world for \$2 billion annually to slow the spread and

to save \$900 billion in associated costs. Only recently, the level of global spending has climbed to \$2.8 billion. Think of that, a 9-year period of time when we did not respond to this epidemic as it spun out of control. This is well below the actual need today of \$10 billion every year to fight this epidemic that is circling the globe.

A World Health Organization mathematical model estimates that only \$9 billion can be usefully spent per year: \$4.8 billion on prevention, \$4.2 billion on treatment. This number assumes the medical infrastructures in developing countries will remain at current capacities. Jeffrey Sachs, a well-known development economist based at Columbia University in New York, suggests that investing in infrastructures would raise the yearly cost to about \$15 billion.

I have been to some of these countries suffering with AIDS. Many of my colleagues have. You see that the medical infrastructure is virtually primitive. Not only do they not have clinics, they don't have water that is safe to drink. Imagine trying to treat an epidemic under those conditions. An investment in the public health infrastructures of these countries can mean we could put money into stopping and slowing this epidemic.

The United States spends more than \$10 billion domestically to fight the disease, but we contribute only \$1.1 billion to fight AIDS abroad. A few weeks ago, I brought an amendment to the floor asking that we make a commitment on an emergency basis to put \$500 million more into fighting the AIDS epidemic. I am sorry to report my colleagues would not support me on that amendment. It is unfortunate. I believe, sadly, that in years to come we will look back on this as a missed opportunity to do something about an epidemic that will literally affect the lives of all of our children and grandchildren and affect the stability of the world.

What are the contributing causes to the global epidemic? No. 1 is lack of education. Eighty percent of those most at risk receive no information or any help with prevention. Just a few years back, 10 or 12 years ago, 30 percent of the pregnant women in Uganda were HIV positive. That number is now down to 11 percent. Was there a massive infusion of money into Uganda? There was, a selective infusion of money into public education. It worked. They preached ABC, which is very basic: Abstinence, which is the first advice to be given; make certain that if you are going to be sexually active, you are monogamous; and third, make certain you rely on condoms for protection if you don't accept the other two as a premise for your lifestyle. It is very fundamental, but it worked. It dramatically reduced the HIV infection rate among those who were pregnant.

We need programs that are going to change the habits of people. We have to understand poverty creates desperation. There is something we have to