

Mr. BUNNING. I thank the Senator and yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### ENVIRONMENTAL POLICY

Mr. NELSON of Florida. Mr. President, it was a Republican President, Theodore Roosevelt, who, in the early 1900s, established our Nation's first national forests and refuges, and his fifth cousin, President Franklin D. Roosevelt, who, during the Great Depression of the 1930s, launched the Civilian Conservation Corps. Then, under Dwight Eisenhower in 1960, our country set aside the first part of Alaska's Arctic National Wildlife Refuge. Under Richard Nixon, in 1970, we enacted the Clean Air Act to limit air pollution from cars, utilities, and industries.

Then, 20 years later, a major expansion of that act was signed into law by President George H.W. Bush, the father of now-President Bush.

For 100 years, Republican and Democratic Presidents alike saw that saving America's natural wonders ought not be a partisan political issue. Yet today we see the present Bush administration, time and again, side, with corporate political interests trying to roll back the time-tested and bipartisan measures aimed at protecting our land, our air, and our water.

Let me give some examples. The Federal Superfund Program for cleaning up toxic waste sites is running out of money. It was set up in 1980. It was sponsored, fostered and encouraged under several Presidents. It was set up under President Carter, and continued by President Reagan, then President H.W. Bush, and President Clinton. They all encouraged the use of the Superfund and the concept of the polluter pays.

In 1980, an agreement was struck with the oil companies and the chemical companies. The oil and chemical companies would pay into a trust fund, and when a toxic waste site was found—and this happened after the Love Canal situation had riveted the Nation's attention—there would be money in the trust fund if they could not find the polluter to pay. If the polluter had fled town or had gone bankrupt, there was a fund from which you could then get the toxic waste site cleaned up.

I just toured one of these toxic waste sites about 12 miles west of Orlando, a site that has been there for several decades, a site where at one point what I call a witch's brew of boiling DDT, which formed another chemical compound, had flowed into a holding pond. Why was it a holding pond? Because it was a depression in the ground. And where did that go? It was a sinkhole that went into the Floridian aquifer.

At one point it spilled out of this holding pond into this creek that ran into Lake Apopka, a lake of thousands of acres that used to have 4,000 alligators, and which has 400 now—and you

know how sturdy a beast an alligator is.

Yet what the present Bush administration has said is we do not want to continue the polluter pay concept. We want the taxpayer to pay for cleaning up toxic waste sites instead of the polluter. As short as we are on money, with the surplus having evaporated, with the war requiring more and more money, an appropriation from the general fund of taxpayer money for the Superfund may not happen. So sites such as the one 12 miles west of Orlando, are not going to get cleaned up. If we do not re-authorize the polluter pays provisions—which have had bipartisan Presidential support—then we are going to have a serious problem. The site west of Orlando will continue to jeopardize the water supply for all of that part of Florida. That is how serious it is.

Let's take another case. We had the matter of arsenic.

First, the administration was not going to lower the parts per billion in drinking water. It would remain at 50 parts per billion, a standard set before we knew arsenic caused cancer. Based on years of study, the previous Administration had recommended it go down to 10 parts per billion. There was such an outcry that the public was finally heard. And, before the Congress had to act, the administration, relented and adopted the 10 parts per billion standard.

In the Senate 2 months ago, we defeated the administration's attempt to permit oil and gas drilling in the pristine Alaska Wildlife Refuge. Unfortunately, we were unable to overcome the administration's opposition to improving automobile fuel economy standards.

If we are going to get serious about weaning ourselves from our dependence on foreign oil supplies, we are simply going to have to go to where we consume the most energy. The most energy is consumed in the transportation sector. If we don't get serious about increasing the miles per gallon on our automobiles and trucks, we are simply not going to be able to address our dependence on foreign oil. We should follow a balanced approach on the energy question. It should be part production, part conservation, part alternative fuels, part increased use of technology and part renewable fuels. We can use our technology—we have it today—to increase significantly the miles per gallon fuel economy of our transportation sector.

It is so hard, because of all the special interests involved, to pass good public policy. A good example is the defeat of our effort to increase corporate average fuel efficiency standards. But mind you—it is going to take a crisis, such as a terrorist sinking a supertanker in the 19-mile-wide, Strait of Hormuz which suddenly stops the flow of oil traffic out of the Persian Gulf to the industrialized world, to give us a major disruption of energy supplies.

We will rue the day that we did not increase the corporate average fuel efficiency standards of our cars and trucks because the transportation sector accounts for 42 percent of the oil we consume in this country.

Here, again, is another example of where this administration has not faced up to the reality of the environment and of energy. By the way, we have cars today—particularly Hondas and Toyotas—that can get over 50 miles per gallon. These are the hybrid vehicles that shift from gasoline to electric. Because of the computer, the driver and the passengers do not even notice the shift. There is no diminution of the electrical output of the automobile.

Again, it is another example of where we are just on the wrong course with regard to our energy and to our environmental policies.

If our energy legislation stalls and the environment remains under siege, is it all lost? I don't think it is. Our citizens and their elected representatives can demand and get better.

In the past, we saw an outcry regarding arsenic levels in our drinking water and arsenic used to treat wood. We won on both counts. The arsenic standard for drinking water was dramatically decreased and the wood preserving industry agreed to cease the manufacture of arsenic treated wood for residential uses by the end of 2003. Children's playground equipment will no longer be manufactured with wood treated with arsenic. More needs to be learned about the dangers of arsenic-treated wood but, I will continue to seek answers from the Administration.

Last year we were able, fortunately, to scale back the sale of new oil and gas leases in the Gulf of Mexico right off of the coast of Florida—keeping the drilling more than 100 miles from the Florida shores, preventing the spoiling of our coastal environment and protecting the \$60 billion a year tourism industry in Florida.

Senator GRAHAM and I tried to block that sale altogether and we will continue to battle exploration off Florida's coasts. Floridians, regardless of our individual party affiliations, overwhelmingly oppose offshore oil drilling that threatens our beaches, fisheries and tourist-dependent economy.

On saving the environment, our Federal Government today may be split largely along political party lines. But, in Florida, and across the Nation the people are not.

I thank you for the opportunity to share these thoughts with the Senate. I yield the floor.

Ms. STABENOW. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

## PRESCRIPTION DRUGS

Ms. STABENOW. Mr. President, I rise today to speak about an important part of the strategy to lower prescription drug prices for all of our citizens, particularly our seniors who are using about 18 different medications in a year. We have a strategy to focus on with the intent to do everything possible to update Medicare to cover prescription drugs with a comprehensive Medicare prescription drug benefit which is long overdue.

Medicare was set up in 1965. It covers the way health care was provided in 1965. It needs to be updated to cover the primary way we provide health care today, which is outpatient prescription drug coverage.

We also know there are a number of other actions we can take to lower prices for everyone. I had the opportunity yesterday with the Detroit Regional Chamber of Commerce to hear from a number of businesspeople, large and small, who are struggling with their health care insurance premiums, some choosing to no longer be able to provide health care, and others finding they are having to cut back, and hospitals and nursing homes and home health agencies, all affected by the explosion in prescription drug prices.

When we look at the rising cost of health care, the majority of it is the cost of prescription drugs. A number of us have looked at what it is we can do to bring more competition, to bring prices down, and to make it more fair for Americans.

Americans today are underwriting the cost of research. I am very proud that, through the National Institutes of Health, we are providing billions of dollars in basic research. We support companies then taking that research, and we allow them to write off their research costs as well as their advertising and other costs to be able to provide the necessary research and development for new prescription drugs. We give them a patent to protect their development so they can recover their cost. But at the end of that process, we find that Americans, even after we have heavily subsidized, supported, and helped pay for the research and development, are paying the highest prices in the world.

One of the reasons is that there was a law passed in the late 1980s that puts a fence around the border of the United States as it relates to prescription drugs. It says that we as Americans cannot go across the border to Canada to purchase American-made, FDA-approved and safe drugs that are sold to Canada, on average, at half the price. We can't go to any other country as well.

In fact, as was shown in the Wall Street Journal last Friday in a front page article, every time the European Union or Canada or some other country negotiates lower prices for their citizens, the drug companies make it up by raising American prices, even though we are the ones paying for the research that creates the new miracle drugs.

To demonstrate this and to promote legislation, S. 2244, which Senator DORGAN, Senator JEFFORDS, myself, and many others, have introduced—it is a bipartisan bill to bring down this barrier at the border so Americans can get the very best prescription drugs at the very best prices from Canada—a number of us have been helping to sponsor bus trips to Canada to make the point.

This is a picture of a number of us who were joining, from the House and Senate last week, a bus in front of the Capitol. This is a bus that the Alliance for Retired Americans has been sponsoring. In fact, we have over 14 different trips planned in the next several days into Canada. We kicked off one in Detroit yesterday where a group of citizens got on the bus to go 5 minutes across the Ambassador Bridge, in which they were able to lower their prices on average by half, just by going across the bridge.

This is not about putting seniors or families on buses to go across bridges to get lower prices. This is about dropping the barrier at the border. This is protectionist legislation that does not allow us to have business relationships across the border to bring back those American-made drugs at a reduced price.

We can trade with Canada on agricultural products, manufacturing products, all kinds of things. People go back and forth across the border and do business every day. But when it comes to prescription drugs, we have not been able to do that. That creates a situation where we don't see the kind of pressure on our companies to be competitive and fair to Americans.

We want to get people off the bus. We want those prescriptions coming back to the United States to our neighborhood pharmacy, so a senior can walk in and get the reduced price.

I will just share with you some of the price differences we have seen as we have taken the bus trips to Canada from Michigan. Zocor, for high cholesterol, if you need to purchase this in Michigan, the price will be somewhere in the range of \$109. If you drive that 5-minute bus trip across the border, you can get that same Zocor for \$46. If we look at Prilosec for heartburn and ulcer relief, \$115 in Michigan; \$55 across the border to Canada.

Probably one of the most disturbing ones for me is a breast cancer treatment drug. I have taken to Canada breast cancer patients, who are in desperate need of this lifesaving treatment and medication. Tamoxifen is a well-known breast cancer treatment, \$136.50 in Michigan; \$15.92 across the bridge.

There is something wrong with this picture. There is something wrong when Americans are supporting and funding the development and underwriting costs and subsidizing, through tax deductions and tax credits, the development of these lifesaving medications, and we are paying so much more for these lifesaving drugs. It makes no sense.

I urge my colleagues to support our effort, to come on as cosponsors and support the effort to open our borders and lower prices for prescription drugs. We have a bipartisan bill, S. 2244. The time is now. We want to get the seniors off the bus, get lower priced prescriptions into the local pharmacy or the hospital or into the clinics around the State of Michigan. It is time to do that. It is past time to lower the prices for people.

This isn't the same as buying a new pair of tennis shoes. It is not the same as buying a new car, although coming from Michigan, I want to see people buy a new car every year. But if they don't, it is not going to threaten their life. But if a breast cancer patient does not get her Tamoxifen, it does threaten her life. That is the difference.

This is medicine. It is not optional. It is time we understand that and get serious about lowering prices, about creating the competition that will allow us to lower prices.

I have never seen an issue that affects more the economy of this country. It affects every businessperson trying to provide health insurance for themselves and their employees. It affects our universities' health clinics. The president of Michigan State University came to me expressing great concern about his rising health care premiums and the requirement that he was going to have to lay off people because they couldn't keep paying these rising costs, most of it from prescription drugs, and maintain the same number of staff at the university. This is ridiculous.

Most importantly, this is ridiculous because of what it means to our families and our seniors. Yesterday on the bus were a couple who are paying \$1,300 a month for their prescriptions, people on a fixed income. They were getting on that bus yesterday to go to Windsor, Canada, out of desperation to lower their prices so they could live independently in their own home and not have to be hospitalized or go into a nursing home and receive the kind of medicine they need.

It is wrong that we are seeing this kind of disparity. I urge my colleagues, while we are working on the important issue of Medicare prescription drug coverage, that we do something today to lower prices. We can do something right now by just simply opening the border to Canada and making sure that our citizens get the prices shown by these yellow bars on this chart, instead of paying the high prices we see they are paying right now.

I thank you, Mr. President. I urge my colleagues to get engaged in one of the most important issues affecting seniors and our families today. It is time to bring the prices down.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

## EDUCATION

Mr. KENNEDY. Mr. President, in the Washington Post today in the front