

study—show otherwise. In my colleague's own State of South Dakota, 40,000 Medicare beneficiaries who do not have prescription drug coverage stand to gain the most from that drug discount card; 28,000 South Dakotans are eligible for an additional \$1,200 over the next 14 months. How can they be told not to sign up for that card?

The discount drug card is only the beginning. In the year 2006, all Medicare beneficiaries will be eligible for prescription drug coverage under the Medicare program. Tens of thousands of South Dakota's seniors and citizens with disabilities will receive coverage with no premiums, no deductibles, no gaps in coverage, and copayments of no more than \$2 for generics and \$5 for brand-name drugs.

There is a better way to provide affordable prescription drugs and health coverage to the American people. Texas and California have chosen the right path. I ask: When will Senator KERRY and Senator EDWARDS choose theirs? Make no mistake, we need health care reform now. Costs are way too high today, and they continue to rise. Quality chasms and health care disparities exist in our health care sector today. But I can tell you from personal experience—both in medicine for 20 years as a physician and as a policymaker today—these are tough and challenging issues. Reform is a challenge that is not easy, but we have begun to address it and we will continue.

The health care challenge is complicated, and it is much more complicated than a lot of politicians would have you believe. They simply are not going to be solved overnight.

Let us pledge today to get it right the first time. Let us pledge today to give that power back to the patients. Let us pledge to tackle the challenges today and to stop the partisan politics and to stop the foot dragging that becomes an embarrassment to this institution and a source of frustration for the American people.

With the President's leadership and the bipartisan reforms that we have enacted during the past several years, we are on the right track. A lot of work remains to be done. We need to pass medical liability reform. We need to expand those health savings accounts that are now the law of the land. We need to give small businesses the ability to ban together to buy more affordable health care coverage for their hard-working employees. Because as a matter of principle, every family deserves access to affordable, reliable, and quality health care that can never be taken away.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

#### HEALTH CARE

Mr. NELSON of Florida. Mr. President, the fourth hurricane has visited my State, and that is the subject of my remarks.

I am compelled to respond to some of the statements the majority leader has made about the condition of medical malpractice in the country.

One of the great privileges of being a part of the Senate, it being the greatest deliberative body in the world, is out of the discussions of ideas, hopefully truth can ultimately be achieved. A number of the statements the majority leader has made are giving his point of view, one side of the argument. Indeed, it is absolutely no secret that there is a medical malpractice insurance crisis in the country.

As the majority leader would have it characterized, it is all as a result of lawyers and excesses. Are there excesses? Yes, there are. And those ought to be reformed in the system. But in outlining how you want to solve the problem of bringing down the insurance premiums for doctors to protect themselves with medical malpractice, what is proposed by the majority leader leaves the main entity out of the solution, and that is the insurance company.

The doctors have characterized this—indeed, some lawyers—as a fight between doctors and lawyers. But they have left out the main party, if we are going to reach a solution. I speak from a little bit of experience, having been the elected insurance commissioner of Florida for 6 years. I found myself, interestingly, as insurance commissioner, denying rate decreases for insurance companies that were medical malpractice companies because they were wanting rate decreases so they could get additional market share, but it was not financially prudent. It was not actuarially sound. This was during the 1990s, when the stock market was robust.

Insurance companies make money in two different ways: One, with regard to their premiums, which ought to be actuarially sound for the risk they are insuring; and two, by investing those funds in prudent investments. And in the decade of the 1990s, those investments were paying off handsomely for the entire business community, including insurance companies.

But what happens when the stock market turns south and the return on their investments is not there? Then an insurance company is supposed to have its premiums so that it can be actuarially sound so it can pay its claims due to the risk it has assumed.

Well, a lot of those companies started getting in difficulty because they were not getting the returns on their investment. So they had to start yanking their premiums up.

All of this is to say that if we want a real solution to this problem, we have to get doctors and hospitals, lawyers and insurance companies all in the room in order to solve the problem.

The majority leader made reference to the State of California as if it were just a cap on lawyers' fees. That is not the history of the State of California. California not only did that, but they

also put a limit on the increases on insurance premiums as well. So when we have a discussion, we should have a discussion of an overall comprehensive way to solve this problem. That is what I would like to see—this being less partisan, less ideological, less special interests, and talk about a solution where we can bring all parties in and get something done. That should be done at the State level. What we have seen from it is that States that have taken up legislation like that do not bring all of the parties to the table to find a viable solution.

I felt compelled to respond to the majority leader's comments because in the debate that ought to occur in this body, it ought to be a comprehensive debate showing all sides to the argument.

#### FLORIDA'S HURRICANES

Mr. NELSON of Florida. Mr. President, I came here because, as most everybody in the country knows, an unusual meteorological phenomenon has occurred in my State where it has now been battered by four major hurricanes. Part of the State now has been battered in the same area—namely, south of Orlando, southeast of Lakeland. In that area, it has been traversed now by hurricane strength winds from three hurricanes—first Charley, then Frances, and now this last one. The third hurricane, Ivan, took off for a different part of the State. It hit west Florida in the Pensacola area, as well as eastern Alabama, with such force of not only 138 mile per hour winds but also with that surge of water called a tidal surge, which was so significant that it went all the way up Pensacola Bay and, in fact, lifted up sections of the Interstate 10 bridge—huge, heavy concrete sections—lifted it up by the pressure of that water and deposited it on the bottom of Pensacola Bay. That is the kind of force and fury of Mother Nature that has been visited upon my State. So what do we need to do? Well, there is one reason for the Federal Government, other than the protection of the national defense of this country, and that is also to provide during times of disaster.

FEMA ran out of money several weeks ago. We came in here and we passed an emergency appropriations bill of \$2 billion to try to fill up their coffers. But since then, we have passed several things appendaged to the Homeland Security Appropriations bill, plus receiving several acknowledgements and commitments to, in particular, this Senator from Florida from the esteemed chairman of the Appropriations Committee of adding additional funds in the conference that is now occurring on the Department of Homeland Security funding bill.

But as of yet, we have seen an appropriation request come from the White House that is just not going to solve the problem. For example, the Commissioner of Agriculture of Florida

said that for the first two hurricanes, we are going to have \$2 billion of losses just in agriculture. Yet all we have announced out of that \$2 billion requested by the Commissioner of Agriculture—who happens to be in the same party as the President—all we have seen is the Secretary of Agriculture offer a package that is only one quarter of what the Commissioner of Agriculture of Florida has asked for. That is just not going to do it.

Since the first two hurricanes, we have been hit by a third hurricane and, a day ago, by a fourth hurricane. In that third hurricane, there is going to be a big loss of the cotton and peanut crops up in the panhandle. With the fourth, what was left of the citrus crop across central Florida is going to be all gone because these ferocious winds are going to drop to the ground any fruit that was remaining. This is an election year, but this should not be partisan.

People are hurting and they need help, they need it now. I ask the White House, this administration, the Department of Agriculture, and all those myriad of agencies to come forward and help us. We need that help right now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, how much time am I allotted?

The ACTING PRESIDENT pro tempore. The Senator from Iowa has 19½ minutes.

Mr. HARKIN. I thank the Chair.

#### HEALTH CARE

Mr. HARKIN. Mr. President, I want to talk a little about Iraq. Before that, I have a responsibility to respond to the majority leader's comments on health care today. Sometimes you hear things on the Senate floor and you have to stop and say, did I really hear that or is that just something I thought?

I was really listening to the Republican leader talk about Republican support for health care—meaningful health care. Listening to the Republican leader talk about Republican support for meaningful health care is like listening to the big tobacco companies talk about the need for cancer research. How do I say that? Because the problems of cancer basically are caused by the big tobacco companies. The problem that we don't have a meaningful health care system in America today—people-based, patient-based, preventive care-based—is because of Republican Party policies.

It has been very clear for a long time that the Republican Party has opposed any kind of meaningful people-based health care program. After all, it was our colleague, former Senator Robert Dole, who during his Presidential campaign in 1996 bragged he had voted against Medicare, as most Republicans did in the mid 1960s. Now, again, the majority leader says that the elderly

are not signing up for these discount cards and we ought to be promoting them, sort of like a cheerleader. Maybe they are all taking their cue from the fact that President Bush was a cheerleader in college, so now we have to be a cheerleader. We heard that we have to cheerlead, regardless of what the facts are. There is a reason the elderly are not signing up for this card. It is meaningless. It doesn't do anything for them. Yet we are supposed to go out and be a cheerleader for them?

Well, the Republicans rammed through their health care program. The elderly get a meaningless card, and the pharmaceutical companies got \$12 billion in payments to entice them into this program. How about giving the elderly in our country \$12 billion?

I sum it up by saying that President Bush does have—I want to be fair to him—a health care plan. It is very simple and straightforward: Pray you don't get sick. That is President Bush's health care plan.

JOHN KERRY has a sound health care plan: One, to overturn the ban on Medicare bidding down the prices from pharmaceutical companies. Again, that was in our last Medicare bill. Republicans insisted on it. They pushed it through. Right now, Medicare cannot bargain with the large pharmaceutical companies to bid down the prices. Why? Because they are paying in the bill and they are forbidden to do so. What kind of sense does that make? The Veterans' Administration can bargain down the price of drugs with pharmaceutical companies but not Medicare. That makes no sense.

One of the first things a President KERRY would do is get rid of that ban and let Medicare get the price of drugs down for the elderly.

Secondly, a President KERRY will say we have to allow for the reimportation of drugs from Canada. We have a free-trade agreement with them on cars, clothes, pens, ties, and everything else, except for one thing—drugs. Well, it is time we have a free-trade agreement on drugs and let us reimport drugs from Canada.

The third part of the Kerry program is to provide a tax credit for small businesses—up to 50 percent—so they can carry a health care policy on their workers. That is so important for us in rural America, where most of our people work for small business.

Fourth, Senator KERRY says we ought to open the Federal Employee Health Benefit Program to everybody in America. That is a good program. It allows you to pick your doctor and hospital, and it allows you to change your plan if you would like to do so. It is a great program. I ought to know, I am in it. So is President Bush. So is Vice President CHENEY. So is every Senator on this floor. If it is good enough for us, it ought to be good enough for the American people.

The last thing in the Kerry program for health care is to double the National Health Service Corps to get

more doctors, physicians' assistants, nurse practitioners, and others serving in our rural and underserved areas and to increase the number of community health centers in America.

So while I am proud JOHN KERRY has a forward-looking, comprehensive health care plan that will be meaningful, that will reduce drug prices, and that will get affordable, reliable health care to the American people, President Bush is silent. Again, President Bush's health care plan is simple: Pray you don't get sick. That is not enough. We need better than that.

#### IRAQ

Mr. HARKIN. Mr. President, I also wish to speak for a few minutes about the mess in Iraq. Last week, Prime Minister Iyad Allawi came to Washington to join in President Bush's campaign of relentless happy talk about the war in Iraq. President Bush says:

We're making progress. We're making progress.

Meanwhile, back in the real world—the world that American soldiers confront on the ground in Iraq—the chaos gets worse and worse. Entire regions and many provincial capitals are under the insurgents' control. Virtually every day we see car bombings, kidnappings, assassinations, beheadings.

As we learned last week, the CIA has produced a formal National Intelligence Estimate that says that, at best, the current level of violence will continue and, at worst, Iraq will plunge into a civil war. As Secretary of State Colin Powell acknowledged yesterday, it is getting worse in Iraq. But amazingly, President Bush insists that this mess in Iraq has made us safer, and the President and his political allies have been relentless in using the war on terror for their own electoral purposes.

Their message to the American people is simple: Be afraid, President Bush will protect you; his opponent will not.

Vice President DICK CHENEY also took this line of attack 2 weeks ago when he darkly warned with his Darth Vader-type voice that if JOHN KERRY is elected President, then "the danger is we'll get hit again, that we'll be hit in a way that will be devastating." That was Vice President CHENEY.

Last Tuesday, the senior Senator from Utah, Mr. HATCH, said that terrorists "are going to throw everything they can between now and the election to try and elect Kerry."

Last Monday, Deputy Secretary of State Richard Armitage said terrorists in Iraq "are trying to influence the election against President Bush."

If these gentlemen have such excellent access to the terrorists' thoughts, they are not doing a good job of turning that knowledge into effective policy against the terrorists. At key junctures, this administration has made disastrously wrong choices. Repeatedly, these decisions have played into the terrorists' hands. Let's look at the record.