

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak as in morning business for 8 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PRESCRIPTION DRUGS

Mr. DORGAN. Mr. President, while some Members of the Senate are conversing about the schedule, I want to take a moment and comment today on a couple of items that have appeared in today's newspapers related to a very important matter that we will be addressing soon. The first item appeared in the Wall Street Journal:

"Drug benefit costs for large employers are expected to jump 22.5 percent for employees and 23.4 percent for retirees over the next year," according to a survey of 61 companies.

Drug costs are expected to jump 22.5 percent in a single year for employees and employers.

The second item is a full-page ad that appeared in the Washington Post today. This ad is sponsored by the Pharmaceutical Research and Manufacturers of America. It says:

One of these pills is a counterfeit. Can you guess which one?

And then it says:

Congress is about to permit the wholesale importation of drugs from Mexico and Canada. The personal health of American consumers is unquestionably at risk. Counterfeit prescription drugs will inevitably make their way across our borders and into our medicine cabinets. Counterfeit prescription drugs can kill. Counterfeit drugs have killed.

This is from the big pharmaceutical manufacturers. What they are alleging is that it would be unsafe to allow those in this country who want to go to Canada to access a supply of prescription drugs from a drugstore in Winnipeg that was originally made in the United States, in a plant inspected by the Food and Drug Administration, and then put in a bottle and sent to a pharmacy in Canada.

It would not be unsafe. It would be cheaper, but not unsafe. Here is the issue. This is a global economy, we are told, and the pharmaceutical industry certainly benefits from that global economy. They buy their chemicals all around the world to get the best prices, and they should. They use these chemicals to produce wonderful, life-saving medicines. Then they ship that medicine all around the world. They ship it to Pembina, ND, and to Emerson, Manitoba in Canada. Those two communities are about 5 miles apart. For the same medicine, produced in the same manufacturing plant by the same company, in the same dosage strength, put in the same bottle, the manufacturers will charge the U.S. consumer triple, double, or quadruple the price charged the Canadian consumer.

The question is this: Why should an American citizen have to go to Canada to buy a drug that was produced in the United States in order to find that they will save 50 to 70 percent on the price of that same drug? The answer is that they should not have to go to Canada to do that. There ought to be fairer pricing of prescription drugs in this country.

There is a little sweetheart law on the books in this country that needs to be amended. This law says that the only entity that can re-import prescription drugs into the United States is its manufacturer. So when a pharmaceutical manufacturer makes a drug in the United States and ships it to Canada for sale at a fraction of the price—and that is because Canada won't allow them to sell it at the price at which they sell it in the United States—they are able to say to pharmacists and drug wholesalers in the United States that they can't go to Canada and buy it and bring it back and pass the savings along to their customers. Even though it is the same drug, made in a plant in the United States, and the plant is approved by the FDA, they can't bring it back from Canada. Why? Because a law in this country prevents that. Talk about a sweetheart deal.

Some of us want to amend that law. Some Republicans and Democrats have come together on legislation to allow pharmacists and drug wholesalers to import FDA-approved medicines. So in response, the pharmaceutical industry spent a fortune putting full-page ads in newspapers today, saying this is about "counterfeit medicine" that will kill people. What a sack of lies. There is no counterfeit medicine problem here. We are talking about the importation of prescription drugs in this country only in instances where the chain of custody has been assured and guaranteed.

This is the most profitable industry in the world, and I understand that it wants to protect its profits. I think the drug companies do a lot of wonderful things. But I don't think it is wonderful when they tell senior citizens in this country—all citizens, for that matter, but especially senior citizens—we have a life-saving drug, but you will pay double the price of what we charge anywhere else in the world. That is not fair. But it happens all the time.

What we ought to do is decide that if this is a global economy, it is a global economy for senior citizens and for pharmacists, as long as we assure the chain of custody and resolve the issue of safety.

A pharmacist in Grand Forks, ND, cannot go to Winnipeg, Canada, to buy the same pill, in the same bottle, made in the same manufacturing plant, and bring it back and pass the savings along to senior citizens. Senior citizens are 12 percent of our population, yet they use one-third of all the prescription drugs in this country. They have

reached their retirement years, the years in which their incomes are limited, and they discover that they must pay the highest prices for prescription drugs of any group of consumers in the world. That is not fair.

Miracle drugs only perform miracles if you can afford to take them. Life-saving drugs only save lives if you can afford to access those drugs. I have had hearings all across this country, and I have heard identical testimony in every State. Senior citizens tell me: When I go to the grocery store, I must first go to the pharmacy at the back of the store to buy my prescription drugs because only then will I know how much money I have left to pay for food. Only then will I know how much money I have left with which to eat.

That is happening all across this country. The folks in the pharmaceutical industry want to continue to charge U.S. consumers double, triple, or quadruple the prices they impose upon citizens of other countries. That is not fair. We ought to change it.

In the appropriations bill when it was considered by the House, the House enacted two amendments to essentially prevent the FDA from enforcing the current law.

In the Senate, there will be an amendment offered by one of my Republican colleagues, myself, and others. The Senate amendment would also allow pharmacists and drug wholesalers to import prescription drugs that were produced in the United States, in plants that are approved by the FDA, but it includes provisions to ensure this is done in a safe manner. We hope enough Members of the Senate will agree so that we will be able to get this done in the coming days.

I yield the floor.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to H.R. 4461, the Agriculture appropriations bill. I further ask unanimous consent that all after the enacting clause of H.R. 4461 be stricken and the text of S. 2536 with a modified division B be inserted in lieu thereof, and that the new text be treated as original text for the purpose of further amendment, and that no point of order be waived.

Mr. REID. Mr. President, reserving the right to object, I express my appreciation to Senator WELLSTONE for being so reasonable on this issue. As usual, he spotted the issue. It has been explained to him. We are now moving forward on this legislation.

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

Mr. LOTT. Mr. President, I know the manager, Senator COCHRAN, is ready to