

but that the big barrier to older people signing up is they were skeptical that the costs would be restrained. Older people were concerned about the costs of medicine in Georgia and Oregon and everywhere else.

The Secretary's comment was: Well, there are going to be plenty of private plans, and the private plans are going to hold the costs down.

My response was, I certainly hope that is the case. That was one of the reasons I felt it was important to get started with the program and why I voted for it. But I pointed out to the Secretary that may be the ideal, but what would be done in areas where there weren't a number of private plans and the opportunity to hold the costs down. That will certainly be the case in areas where there are what are called fallback plans. My guess is in rural Georgia and rural Oregon, we are going to see a number of those fallback plans because those are communities where you are not going to see multiple choices for the seniors. You will be lucky to have one plan, if there is to be any coverage for the older people.

What Senator SNOWE and I have said is that at a minimum, let's make sure in those areas where the older people don't have any bargaining power, it is possible for the Government to step in and make sure seniors and taxpayers can get the best possible deal on medicine.

In effect, what Senator SNOWE and I have been talking about is the position of Mr. Leavitt's predecessor, Secretary Thompson. At Secretary Thompson's last press conference he said, almost verbatim, that he wished the Congress had given him the power Senator SNOWE and I believe is important for this program.

In saying so, the Secretary made it clear, also, he was not for price controls; he wasn't interested in a one-size-fits-all approach to containing costs. He simply made clear that if it is apparent in a community that the older people won't have any bargaining power at all because choices are limited, the Secretary wanted essentially a kind of fallback authority, which would mean the Government at that point could make sure the older people and taxpayers were in a position to have some leverage in the marketplace.

I asked the Secretary why he disagreed with his predecessor. I asked specifically: Why do you see it differently than Secretary Thompson? Essentially, he said he simply believes in the marketplace, and there are going to be lots of choices. I hope he is right. I know he is certainly sincere in his views.

What I am concerned about is, I think it is going to be very hard for the Senator from Georgia and other colleagues to go home in July and August and get the older people to sign up for

this program if they don't see this body is taking additional bipartisan steps to control costs. The older people are reading the newspaper and walking into their pharmacies, and they are seeing what is going on.

Regrettably, the cost of the program has continued to go up. We can debate how much it has gone up. I am not interested in some kind of partisan wrangle on it. But the cost of the benefit has gone up. And the number of seniors who have signed up for the first part of the benefit was really very low. So what this has created is a situation for the prescription drug benefit, where there is a real likelihood that a huge amount of Government money will be spent on a very small number of people. That is not a prescription for the survival of the program. Certainly, as somebody who voted for the program, I want to see it survive. So I will keep up my end of the bargain. I will keep working on a bipartisan basis.

I want to express my continued interest in working with the Bush administration to save this prescription drug benefit that we worked so hard to get off the ground. We need to have an honest conversation about how to do it. I don't think that conversation is helped by this confusion about what is the difference between negotiating—which I and Senator SMITH and Senator SNOWE have advocated—what goes on in the private sector and what constitutes price controls. Senator SNOWE and I want to be for what goes on in the private sector. We are against price controls.

This will certainly not be the last time this topic is discussed on the floor of the Senate. It certainly won't be the last time that I discuss it. I am glad to have the chance to take a few minutes to set the record straight because I think there was needless confusion on this point in the last 24 hours. I think the remarks of the Medicare chief actuary were unfortunate. I guess I have more faith in the folks at Medicare to be able to negotiate good deals than they apparently do in themselves. I simply urge that there be a continued focus on this program during this crucial month, where it is going to be important to get older people to sign up. The key to getting them to sign up will be to hold down the cost.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

FIRST RESPONDERS

Mr. FRIST. Mr. President, my first statement refers to first responders

and the tremendous progress made over the last several years in addressing responses to emergencies of all types. On Tuesday, the director of the Tennessee Emergency Management Agency came to Washington to brief me and the entire Tennessee delegation on our State's homeland security needs. It was fitting, I was thinking at the time, for him to be here on the day that we voted on the nomination of Judge Michael Chertoff.

It has been 3½ years since we were attacked on September 11. Since then we have taken significant steps to strengthen and improve in so many ways our homeland security, from information and technology to training and to overall preparedness. The Department of Homeland Security was established in March of 2003 and has been central in overseeing and coordinating all of these efforts. It is a huge job. I applaud Secretary Tom Ridge for his skillful leadership during those very uncertain times.

Since the September 11 tragedy, we have taken a number of steps. We hardened cockpit doors on 100 percent of large passenger aircraft; 100 percent of all baggage is screened. We have deployed thousands of Federal air marshals and professionally trained screeners at our ports. We now screen 100 percent of high-risk cargo. We have also launched the US VISIT system which creates a database of pictures and finger scans of everyone entering the United States with a nonimmigrant visa. All of these preventive measures, along with many others, are indeed making America safer and more secure.

September 11 taught us that the front lines of a catastrophic terror attack are not here or in policy but are local, in communities all across this country. It is the folks in our fire departments, in our police stations, in our emergency rooms, and in the volunteer corps. It is the brave men and women who rush to an attack site with almost superhuman stamina and compassion, working to save their fellow citizens.

I am reminded of the Memphis and Shelby County Urban Search and Rescue Task Force that traveled to Washington to help at the Pentagon after September 11. All airplanes were shut down. The team loaded two tractor trailers, three buses, and a few cars, and drove all through the night from Tennessee until they arrived early in the morning of September 12th. It was a team of firefighters, doctors, nurses, computer technicians, and rescue dog handlers who worked 12-hour back-breaking shifts every day for days—believe it was a total of 8 days—to help secure the Pentagon's structure and save lives.

Two or three days after September 11, I had the opportunity to go and visit with this rescue task force and to

thank them. I remember vividly the day, with the large American flag still on the debris of the Pentagon behind the setup of the task force, and that large Tennessee flag. At that time, all I could say was: Thank you for being on the front line, for responding so immediately, for leaving the comfort of your own homes to volunteer to respond. Like so many brave and committed first responders from around the country, their assistance was invaluable.

Tennessee received \$32.4 million for fiscal year 2004 and \$32.6 million for fiscal year 2005 to continue training and strengthening our first responders and local capabilities.

This month, fire departments across the State were awarded grants to promote fire safety and prevention. Meanwhile, Tennessee has established 26 Citizen Corps Councils to help coordinate emergency volunteers. As we learned on 9/11, we are all in this together.

Another area that must be addressed is our biohazard preparedness. We know that at least 11, and as many as 17, nations already have offensive biological weapons programs—at least 11 nations. Experts believe these countries' arsenals are stocked with agents that could be devastating as weapons. The United States must be prepared for the eventuality of another bioterror attack. That is why in the last Congress we passed Project Bioshield, which authorizes \$5.6 billion over 10 years for the development of vaccines and a whole range of other countermeasures against potential biological attacks. Such potential attacks could include those of smallpox, anthrax, and botulism toxin, as well as other dangerous pathogens such as Ebola and plague.

This sort of legislation shows us leading on the challenges of tomorrow. These are proactive pieces of legislation that are preventive, that make us safer and more secure. This legislation will help ensure that our public health agencies focus, in a deliberate and comprehensive way, on developing drugs and countermeasures and vaccines and devices whether it is against a biological attack or chemical attack or radiological attack or an attack by nuclear agents or dirty bombs.

This year, we hope to build on these measures with another bioshield act which is designed to better protect and strengthen our domestic public health infrastructure. Specifically, this legislation improves the availability and accessibility of vaccines. It strengthens our capacity to respond efficiently in the event of a public health emergency. And it gets more first responders into the field by offering loan repayments in return for service at the FDA, the Food and Drug Administration, or the Centers for Disease Control and Prevention, the CDC, or the National Institutes of Health, or other public health agencies.

Well, there is much to do to make America safer and more secure, from the war on terror, to strengthening the homeland. Next week, I will be returning to my State, as most of our colleagues will be doing during this period of recess, and attending a conference in Tennessee on a study of what our current plans are and to also explore ways in which we can maximize our efforts. It is hard to plan when we do not know what might be next. That is why we must be ever vigilant and ever creative in securing ourselves from attack. From our Federal officials, to our local volunteers, protecting the homeland is everyone's duty.

ACCOMPLISHMENTS OF THE SENATE AND LOOKING AHEAD

Mr. FRIST. Mr. President, before wrapping up, I will look back, very briefly—which I tend to do right before we go into a recess—and also look forward, very briefly.

Let me summarize the last 3 weeks as being gratifyingly productive. I say that because last Thursday, by a vote of 72 to 26, the Senate passed the Class Action Fairness Act. The process was bipartisan throughout. It was a great legislative victory for the Senate and, subsequently, for the House of Representatives, which passed the bill today. Soon the President will sign this very important issue that addresses lawsuit abuses.

Senator GRASSLEY, who was the lead sponsor of the bill, had been working on class action reform for over a decade. Last week, we finally delivered. I commend my colleagues for their fairness and their cooperation.

I applaud also Senator ARLEN SPECTER, who has not been with us the last couple of days, but I talked to him a few minutes ago, and he is doing very well. I applaud him for his leadership because it was through his committee, the Judiciary Committee, that class action was first addressed and brought to the floor, again, with a bipartisan vote, and ultimately passed. I thank Senator SPECTER for his tremendous leadership.

Building on the momentum of the class action bill, we passed the Genetic Information Nondiscrimination Act today, not too long ago, with a vote of 98 to 0. I once again thank Senator OLYMPIA SNOWE, who was the lead sponsor of that legislation and has been one of its leading champions for many years. It was a bipartisan piece of legislation, obviously, with a vote of 98 to 0.

On the other side of the aisle, Senator KENNEDY, and on our side of the aisle, Senator GREGG and Senator MIKE ENZI—all of them have been thanked over the course of the day. I thank them. And I thank the Democratic leader, as well, Senator REID, for facilitating passage of this important piece of legislation.

When this bill becomes the law of the land, it will prevent health insurers from what can be very tempting for an unscrupulous health insurer, and that would be to reach down and grab information that is important to a patient but that information could be used against the patient.

It will prevent insurers from charging higher premiums based on the results of genetic testing. It will also prohibit employers from potentially using genetic information when considering hiring or firing somebody or considering job promotions.

This bill, the Genetic Information Nondiscrimination Act, is a model of how again we can lead today on tomorrow's problems. As the science advances, genetic tests will be used with increasing frequency, and the likelihood, without this bill, would be for abuse of this genetic information. It is hugely powerful for the patient, but if misused, detrimental to the patient. This legislation addresses that potential problem right up front and prevents that from happening.

Over the last 3 weeks, we also confirmed the last of the President's Cabinet nominees. We approved Condoleezza Rice as Secretary of State, Alberto Gonzales as Attorney General, Samuel Bodman to lead the Energy Department, and Michael Chertoff as head of the Department of Homeland Security.

Earlier today, the President announced his selection of John Negroponte to serve as the Director of National Intelligence. We had the opportunity last night to have a presentation, an exchange of information, with Ambassador Negroponte, who is serving us so well today in Iraq.

Ambassador Negroponte, as Director of National Intelligence, will be responsible for revamping and integrating America's 15 intelligence-gathering services. As the U.S. Ambassador to Iraq and the United Nations, he has proven his ability to manage complicated organizations and tackle the difficult challenges we face today under intense pressure.

He understands the needs of policymakers, and he understands how the executive branch works. I look forward to his swift confirmation. I look forward, personally, to working with Ambassador Negroponte in the weeks and months ahead. I hope we will be able to consider his confirmation process in the very near future.

The Senate has spoken out on some of the most important issues of the day as well: the Iraqi elections, the Palestinian elections, the assassination of Lebanese Prime Minister Rafiq Hariri.

When we return from our short recess—and, again, most people will be going back to their States in order to be with their constituents over the next week—we will continue keeping our eye on events at home as well as