

Samaritan spirit before this chamber of Congress today. We are fortunate to have their service.

DIETARY SUPPLEMENT ACCESS
AND AWARENESS ACT (DSAA)

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 2003

Ms. DAVIS of California. Mr. Speaker, with the support of my colleagues, Representative HENRY WAXMAN and Representative JOHN DINGELL, I rise today to introduce the Dietary Supplement Access and Awareness Act of 2003.

This legislation presents a balanced, reasonable approach to improving the safety of dietary supplements while maintaining market access for responsible supplement manufacturers.

Hallie Bechler looks almost exactly like her father. She was born in late April, almost two months after her father, Baltimore Orioles pitcher Steve Bechler, collapsed from a heatstroke during spring training. A county medical examiner linked his death to the use of a dietary supplement containing ephedra. Steve Bechler was 23 years old.

Like any person interested in losing weight, Steve Bechler may have been lured by the dietary supplement's claims of "rapid and extremely dramatic results." In fact, for an athlete like Steve Bechler, playing baseball in the Florida heat, ephedra did not cause rapid and extremely dramatic weight loss, but rather contributed to a rapid and extreme heatstroke, which killed him.

Dietary supplement use is not limited to adults. Teenagers are certainly vulnerable to pressures regarding weight and athletic expectations. Teenage athletes are especially vulnerable to these pressures. Last year, Illinois high school student Sean Riggins took an ephedra product to improve his football performance. He had a heart attack and passed away at age 16.

The ephedra crisis has raised public awareness about dietary supplements and the absence of accurate information concerning risks and benefits. Much of the confusion surrounding dietary supplements can be attributed to the changes made in 1994 by the Dietary Supplement Health and Education Act (DSHEA).

Cited as the greatest removal of FDA jurisdiction in the history of the agency, DSHEA has greatly curtailed its authority. Simply put, this legislation deregulated the supplement industry. Consequently, there has been an explosion of herbal remedies. Moreover, natural, yet risky, stimulants have also entered the market. The FDA, however, is prohibited from screening out any of these potentially dangerous dietary supplements. What if ephedra is only the tip of the dietary supplement iceberg?

Former FDA director David Kessler wrote in the New England Journal of Medicine, "Congress has put the FDA in the position of being able to act only after the fact and after substantial harm has already occurred." This is because DSHEA shifted the burden of proof from dietary supplement manufacturers to the FDA. Consumers have no way of learning about reported side effects and the FDA does

not possess the authority to require such reports. As a result, American consumers have been unwitting victims of a multibillion-dollar industry!

Today with my colleagues, Representative HENRY WAXMAN and Representative JOHN DINGELL, I am proud to introduce the Dietary Supplement Access and Awareness Act. This bill will address the gaps created by DSHEA through greater information exchange and accountability.

Our legislation contains commonsense provisions requiring dietary supplement manufacturers to provide the FDA with a list of their products and reports of all serious adverse events. These actions will alert the FDA to problematic dietary supplements and will give the FDA access to information it needs to take action more swiftly. If the FDA determines that a specific supplement may have serious health consequences, it can require the manufacturer to do a postmarket surveillance study to ensure that the product is safe.

The ephedra tragedies have shown us that proving a dietary supplement to be unsafe requires a Herculean effort and mountain of evidence. Sadly, the evidence is often a growing body count. Our legislation engages manufacturers in determining the safety of dietary supplements. By providing their studies and other related data, manufacturers and the FDA would come together to make a comprehensive and accurate decision for American consumers.

Our legislation gives the FDA the authority to prohibit sales to minors of dietary supplements that may pose significant risk. Many young athletes emulate the practices of their professional sport heroes. Their developing bodies are especially susceptible to the effect of stimulants and steroid-like products such as "andro."

Numerous supplement products have emerged in the market in the last ten years. They range from vitamins and minerals to herbals and hormones. This boom has created an uncertain situation as to the quality and safety of dietary supplements. According to Bruce Silverglade from the Center for Science in the Public Interest, "the challenge for most consumers is to determine which supplements are beneficial and which are nothing more than 21st-century snake oil—or even dangerous." That is why this legislation includes authorization of funds for physician and consumer education programs regarding adverse reactions.

Certainly, some dietary supplements offer benefits. Folic acid intake by women, for example, has been shown to reduce birth defects in unborn children. We are all familiar with the benefits of taking vitamin C and monitoring adequate calcium intake. Despite claims to the contrary, the Dietary Supplement Access and Awareness Act will not take away vitamins and minerals from consumers. In fact, my colleagues and I included language to specifically exempt them from this legislation.

The FDA has its hands tied behind its back. Limited funding and manpower has made the FDA's efforts to protect the public scattershot. The measures and education programs in this legislation will enable the FDA to gather solid data about the dangers some dietary supplements pose. With this information in hand, the FDA can make sensible, informed decisions and policies about dietary supplements. Consumers can have greater assurance than they

currently have about the safety of the products on the market. We cannot continue to stand on the sidelines and let this insidious public health threat go unchecked. The health and well being of our young people and loved ones are at risk.

I urge my colleagues to join me in supporting the Dietary Supplement Access and Awareness Act.

IN OPPOSITION TO THE FAA
CONFERENCE REPORT

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 2003

Mr. BACA. Mr. Speaker, I rise today to urge my colleagues to recommit this privatization plan back to Conference Committee.

Privatization simply doesn't make sense. It compromises the safety of the American public and it is simply bad policy.

Studies have shown that it has no operational or economic advantages and that it can even lead to more accidents.

How does this make Americans safer?

In a post September 11th world, we must make safety a priority.

Air travel has declined over the past two years because people do not feel safe. We must not make this situation worse!

In Canada, privatization has led to an accident rate that is twice the rate here in the United States. And their air travel system is only 7% the size of ours!

I remember in 1981, President Ronald Reagan fired the federal air traffic controllers for striking. The President said that they were violating Title V and that air traffic controllers must not have the right to strike because of public safety concerns. Now, under privatization, Title V will no longer be applicable. The Republicans cannot have it both ways. Do they want to deny private employees the right to strike and collectively bargain, or do they want to keep the current system in place to ensure America's safety?

So I ask again, why are we doing this?

Is it cheaper? The answer is no.

Privatization increases costs.

The British Government had to pay \$131 million to rescue its privatized system. \$131 million! That is nearly double the price at which they sold it.

Is this good policy? The answer is no.

Privatization has failed miserably in other countries.

According to recent reports, the U.S. system is 74 percent more efficient and 79 percent more productive than the privatized European system.

The U.S. air traffic control system is the safest and most sophisticated in the world. So why do we want to change it?

It handles over half of the world's air traffic and cargo.

Approximately 20,000 hard-working men and women of the FAA ensure the safety of more than one million passengers each day. And we should trust them to continue to do their jobs.

These are the same federal air traffic controllers that landed nearly 700 planes on September 11th and completely cleared the air space in two hours.

When the FAA needed to respond because of an emergency, they were able to do so quickly and efficiently.

Why do we want to privatize these jobs and risk putting anyone out of work right now?

Unemployment is well over 6% right now. For Hispanics it is nearly 9% and for African Americans it is nearly 11%. We must not pass legislation that will put more people out of work and simply hurt more working families.

This is a system that is not broke—so why does it need to be fixed?

The safety and security of the American people should not be the responsibility of the lowest bidder.

It is a core responsibility of our Government.

Mr. Speaker, I urge my colleagues to recommit this conference report and any further efforts to privatize our air traffic control system.

WALL STREET JOURNAL ARTICLE ON EFFECTS OF SYRIA ACCOUNTABILITY ACT ON IRAQI ECONOMY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 2003

Mr. RAHALL. Mr. Speaker, amid the U.S. Coalition Provisional Authority's push for a free and democratic society in Iraq, this House has been constructing a dangerous wall threatening Syria. The recently passed legislation, H.R. 1828, will not help alleviate the incessant attacks that our soldiers are facing daily in Iraq, as an integral part in ensuring their safety is an immediate boost to provide Iraqis with jobs and prospects for prosperity. But the SAA will only prove to upset these efforts. Hugh Pope elaborates on this point in the article "Iraq Adds Complexity for U.S., Syria," which appeared in the October 20th issue of the Wall Street Journal. I recommend the following article to all of my colleagues, Democrats and Republicans alike, and to the administration.

[From the Wall Street Journal, Oct. 20, 2003]

IRAQ ADDS COMPLEXITY FOR U.S., SYRIA AS WASHINGTON SANCTIONS DAMASCUS, AMERICAN TROOPS SEEK SYRIAN TRADE PARTNERS

(By Hugh Pope)

MOSUL, IRAQ.—While the House of Representatives was voting to adopt a new raft of Syrian sanctions in Washington last week, here in northern Iraq the 101st Airborne Division was doing everything in its power to burnish economic relations with Syria.

"It's the freest trade there has ever been here," said Gen. David H. Petraeus, commander of the 101st Airborne's 22,000 troops, in an Oct. 10 war room briefing for U.S. visitors involved in the campaign to promote American achievements in Iraq. He proudly called for the next slide, an image from the day the Iraq-Syria frontier post opened for business. It featured a Syrian border monument with a huge picture of that nation's late president, Hafez al-Assad.

Mr. Assad's son Bashar is now Syria's head of state, and the sanctions, headed for the Senate, are meant to punish Damascus until the U.S. says it has stopped sponsoring terrorism.

But the burgeoning relationship between Syria and American-controlled northern Iraq illustrates a divergence of interests between

Middle Eastern priorities in Washington and the more immediate, on-the-ground needs of the U.S. occupation forces in Iraq, who seek to bring Iraqis the jobs and prosperity they view as a key step in ending attacks on U.S. forces.

"Our No. 1 problem is unemployment," said Gen. Petraeus, who has noted a falling-off in supplies of discretionary funds that his officers use to keep projects going forward in his area of responsibility. He has spent \$28 million so far and says he needs more. "The north has the military forces it needs," he said. "All we need is money."

Spurring the local economy is a critical element in Gen. Petraeus's campaign, and he has used his funds to restart a long-dormant asphalt factory, uncap local oil wells and work to bring irrigation to a new area of wheat fields.

Gen. Petraeus didn't say whether he had had friction with the civilian U.S. Coalition Provisional Authority in Baghdad over his relationship with the Syrians. An officer of the 101st said its general practice was not to confront the CPA but to do what they thought best and "apologize later rather than seek permission first." CPA officials said they had no comment on the wider question of trade with Syria, which also takes place elsewhere in Iraq, since no new U.S. sanctions were yet in force.

But trade is vital to this city of 1.7 million and the surrounding region, and one of Gen. Petraeus's first priorities upon taking control of the north was to open the Turkish and Syrian borders. Now, he said, some 500 to 700 trucks arrive from Syria each day, paying a toll of \$10 for a pickup and \$20 for a bigger rig. He has also pioneered easy, visa-free travel between Mosul province, home to about 12% of Iraq's 25 million people, and the neighboring Syrian region.

To help Iraq cope with its huge electricity deficit, the general dreamed up a scheme to buy power from Syria in return for Iraqi oil. Speeding the process with his fleet of helicopters, he brought together officials from Damascus, men from the new ministries in Baghdad and the best of the 60 lawyers in his own force to hammer out a deal.

Negotiations dragged on, and the general feared they would collapse over bureaucratic details. To break the logjam, he proposed that his engineers swing open the valves on the Iraqi oil-export pipeline, the Syrians switch on the power lines, and the haggling proceed at leisure over the exact final price. Everyone agreed.

Six weeks later, the informal arrangement appears to be working well. Gen. Petraeus said, even if the power from Syria represents well under 10% of local production.

Security hasn't been neglected. Some 800 border guards have been retrained and set up at the old border post to keep an eye out for Islamist and other Arab fighters, some of them Syrian, who have been slipping over the border to attack U.S. troops. But on the tables of Mosul, breakfast now includes Syrian apricot jam.

PERSONAL EXPLANATION

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 2003

Mr. OWENS. Mr. Speaker, because of an emergency in my district, I missed rollcall vote #354, #355, #356, #357 and #359. If I were present I would have voted "nay" on rollcall vote #356, #358 and "yea" on rollcall vote #354, #355, #357 and #359.

RECOGNIZING NAVY DAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 2003

Mr. HOYER. Mr. Speaker, I rise today to recognize "Navy Day," observed on October 27th, and to pay tribute to the impressive work done at the naval bases in my district, Patuxent River Naval Surface Warfare Center, Indian Head Surface Warfare Center and St. Ingoes. The Fifth Congressional District's naval bases are critical facilities that help our nation meet the threats and challenges of a new century, and their geographic proximity to the nation's capital also makes them valuable homeland security assets as well. I would like to take the observation of "Navy Day" to salute their efforts and to acknowledge the vital roles and important military capabilities performed at these three facilities.

Navy Day was established on October 27, 1922 by the Navy League of the United States. October 27 was suggested by the Navy League to recognize Theodore Roosevelt's birthday. Roosevelt had been an Assistant Secretary of the Navy and supported a strong Navy as well as the idea of Navy Day. In addition, October 27 was the anniversary of a 1775 report issued by a special committee of the Continental Congress favoring the purchase of merchant ships as the foundation of an American Navy.

As a community, we owe special thanks to the members of the naval family that sacrifice their own safety to protect our nation. They define the spirit of public service and we are grateful for their past and present services. Over the past several months, in Iraq and around the world, their purpose has been the protection and security of our people, and the promotion of peace, stability and the rule of law in Iraq, the Middle East and the international community, and they should know that a grateful nation supports their service and sacrifice.

We celebrate Navy Day in commemoration of past and present servicemen and women of the Navy as they have fought the enemies of freedom and prevailed. Their courage and resolve is fundamental to our security and way of life. Navy Day gives us the opportunity to appreciate their achievements and gain inspiration from their bravery. They succeed because they are dedicated to the values of this country and to its national security in the face of global terrorism.

The Navy plays a key role in the lives of thousands of Maryland residents, and thus I continue to place the future of the Navy in Maryland as one of my highest priorities. As the Department of Defense, the White House and Congress prepare for the next round of base closings in 2005, I am certain that the overwhelming support of the community, the important three-way partnership between federal, state, and local officials necessary to protect this powerful economic engine for the state, and the valuable homeland security assets of these bases prove the important contributions to our nation's defense and prosperity of Southern Maryland's defense installations.

May God continue to bless our country and may God continue to bless the men and women of the fifth districts Naval bases.