all sorts of articles on what does the word ''bulk'' mean. Were 200 books a bulk sale? Well, that was yesterday's news because today's news in the St. Petersburg Times says the 200 appears to be 400 books. Are 400 books to Capital Formation a bulk sale? How many books does it take to make a bulk, and how many books does it take to really get people's attention? There is also they will say, well, but when you look at ex-Speaker Wright's books, he sold a whole lot more. Yes, but he sold them at 5 bucks, you know. So, does the price count? Does how much comes back to the person count? I mean what is all of this nonsense?

Once again what we really need here is action and not words, action, action, action, and I have never seen so much inaction with so much to act on. Maybe that is why we are seeing the inaction, and maybe that is why we do not want a real independent counsel who has got to be these huge fights as to how do we call him independent and make him something else?

So I just say, as I get more and more frustrated, I keep remembering what my grandmother always told me: It is in the actions and not in the words, it is in the deeds and not in the words. It is in what people do and not what they say, and it is in the record and not the rhetoric because the rhetoric over here sounds wonderful, warm, fuzzy, family friendly, independent counsel, oh they are not bulk sales that the Speaker was selling, yatta, yatta, yatta, yatta. Well, guess what? When you peel away all of those wonderful, warm, fuzzy things, you find out they are selling the day care center, and they cannot even talk to you about it. Hum, makes me suspicious.

The reason we have not had any action on the independent counsel is they do not really want it to be independent except in name. We will call them that, but we will make them something else. We will make them kind of a lap dog, and that when you come to the issues around the Speaker's different charges, of which there are more and more piled up at the door, they want to dismiss them away and argue about them in the press.

That is not what is supposed to happen. We are supposed to have somebody on the outside with subpoenas and proper authority go out and find out what the real issues are rather than day-by-day are going through and finding all sorts of charges flying around in the newspaper, and one newspaper reporter found this, and another newspaper reporter found that, and another newspaper reporter found. Maybe we ought to hire them. I mean, if we are not going to hire anybody, maybe we ought to hire them; I do not know.

But I think that it really brings more cynicism to this body, and it certainly does not do anything for institution-building in this body because people expect us to act as we speak and do as we say we are going to do, so all I do is take the floor today to say, ''Please, please, if you're going to sell the day care center, tell us how our staffs are going to be able to find child care here.'' Mr. Speaker, Members take their children to their office and let their staffs provide the child care. I am not sure that is quite so fair, but what do the staffs do, where do they go, and how do we make this family friendly?

And please do not gag them, and please let us find out about that, and then when we come to the Committee on Standards of Official Conduct, let us get an independent counsel, let us get on with this, and let us decide, let them decide, how much bulk is bulk rather than this continuing day-by-day press thing.

RENEWAL OF HEIRS OF CERTAIN HISTORIC CABIN PERMITS IN SEQUOIA NATIONAL PARK

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. RADANOVICH] is recognized during morning business for 5 minutes.

Mr. RADANOVICH. Mr. Speaker, I rise today to introduce legislation in defense of the property rights of cabin permittees at the Mineral King Area of Sequoia National Park. Many permittees in Mineral King are apprehensive about evictions from property that their families have used for decades, because the National Park Service no longer believes it has discretion to renew the permits of those permittees who die. This issue has the attributes of a Federal land seizure. What a discouraging sight it would be if these properties are boarded up and the families who have responsibly occupied these historic cabins are evicted. I believe that as a matter of public policy they should be allowed to continue using these cabins. It is in this spirit that I introduce this bill.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENEWAL TO HEIRS OF CERTAIN HISTORIC CABIN PERMITS IN THE MINERAL KING ADDITION OF THE SEQUOIA NATIONAL PARK.

Section 314(d)(2) of the National Parks and Recreation Act of 1978 (16 U.S.C. 45f(d)(2)) is amended—

(1) in subparagraph (B)—

(A) by striking ''be reviewed by the Secretary, and may'' in the first sentence; and

(B) by inserting before the period at the end of the first sentence the following: ''under the same terms and conditions as those contained in such lease or permit'';

(C) by striking ''shall be reviewed'' in the second sentence;

(D) by striking ''and may'' in the second sentence and inserting in lieu thereof ''shall''; and

(E) by striking ''the date of enactment of this Act'' in the third sentence and all that follows and inserting in lieu thereof ''November 10, 1978, or their heirs, and any such lease or permit shall provide that the Secretary may terminate the lease or permit only for a breach of the specific conditions detailed in the lease or permit.''; and

(2) by adding at the end the following:

''(C) In the case of any lease or permit which—

''(i) was continued under subparagraph (A);

''(ii) was held by a person who died after November 10, 1978; and

''(iii) expired on or before the date of the enactment of this subparagraph without being renewed or extended under subparagraph (B),

the Secretary shall grant a renewal or extension of such lease or permit to the heirs of the person in the same manner as leases and permits are renewed or extended under subparagraph (B) and under the same terms and conditions as those applicable to such leases or permits.''.

THE FOOD AND DIETARY SUPPLEMENT CONSUMER INFORMATION ACT OF 1995

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized during morning business for 5 minutes.

Mr. PALLONE. Mr. Speaker, in a few weeks this Congress will begin consideration of reform of the Food and Drug Administration, the FDA.

Now the FDA now regulates 25 cents out of every dollar spent on a good or service in this economy, and its impact in our everyday lives runs very deep. It performs several important functions such as protecting public health and safety.

Mr. Speaker, on June 29 of this year I added to the debate over the FDA reform, and I introduced a bill called the Food and Dietary Supplement Consumer Information Act of 1995, and this addresses how the FDA regulates food and dietary supplements. I am aware that the issue of dietary supplement regulation was considered in the last Congress and legislation was enacted, but that legislation fell short in a number of areas and also created an unlevel playing field for foods and dietary supplements. More importantly, a recent U.S. Supreme Court decision has raised the issue whether we ought to clarify the law with respect to claims, advertising and important health information to the public on this issue.

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One key issue that must be resolved, Mr. Speaker, is whether the American public has the right to receive and hear truthful, nonmisleading information concerning the potential and proven health benefits of food and dietary supplements.

A recent U.S. Supreme Court decision, Rubin versus the Coors Brewing Company, has provided us with guidance on clarifying the law with respect to claims and health information. The issue of regulation of food and dietary supplements is among the most important to my constituents. We must all eat food daily to stay healthy, that is obvious. Over 100 million Americans are now supplementing their diets on a regular basis.

There are three important issues raised by the American people and my

constituents that Congress, I think, must act decisively upon when we talk about this issue: First, the right to receive and hear truthful, nonmisleading information. The American public has been demanding to have access to all the scientific information available about food and dietary supplements, and Americans have realized the power and influence of our health that nutrition plays on our well-being. I think the public policy has to respect these objectives.

I want to emphasize the legislation I have introduced does not affect the current statutory and enforcement authority of the FDA to protect the public. The FDA will continue to have its present authority to prosecute and remove mislabeled and fraudulent products.

Second, Mr. Speaker, the American public does not want food or dietary supplements turned into drugs. They want unhampered, affordable access to health-promoting food and supplements. One of the ways the FDA uses its power to interfere with our public access to these products is by declaring them to be drugs and forcing their removal from the market. I think there is an important distinction and clarification that should be made. We should enact my legislation to make it clear that food and dietary supplements cannot be drugs. In the context of health care, we have we created a system where, when one classifies something as a drug, a whole new set of regulations befails that product. This system is specifically designed for patentable products for which industry is given the ability to recover the hundreds of millions of dollars required to go through the patent approval process.

Unfortunately, the system is poorly designed for foods and dietary supplements which are generally naturally occurring products and are nonpatentable. It also creates the unfortunate consequence on the public health that there is no low cost medicine. Obviously, the best low cost medicine is prevention. Nutrition foods, dietary supplements and an overall healthy lifestyle can be good preventive medicine. It is therefore important that foods and supplements be kept out of the drug category in order to protect their ability to be used economically and affordably in the maintenance and presentation of good health.

Third and finally, Mr. Speaker, the American public has the right to make its own health choices. The American people want their health freedom. With a $1 trillion sickness-based health care system, people are looking for prevention and more treatment options. Let us give the people the information and access they want, and let us empower them to make responsibility for their own health. Enactment of this legislation preserves this principle without sacrificing the role of government to be the guardian of the public health.

There are some other provisions in my bill which will save money and help to create uniformity among the 50 States. The legislation will ensure uniformity among the States by requiring the same labeling definitions and claims standards for food and dietary supplements. I think we will all agree on the necessity to make it economically efficient for manufacturers and consumers to have uniform standards for labeling definition and claims.

The legislation also acts to resolve what is now no longer needed, in my opinion. That is, the Presidential Commission on Dietary Supplement Labels. The Commission is unnecessary and would be a waste of taxpayers' money. I do not believe, and many of my colleagues would agree with me, that we really need another commission to spend the next 2 years and the FDA another 2 years thereafter to figure out how to inform the public.

As long as the communicated information is truthful and not misleading, as outlined by Supreme Court decisions, there should be no difficulty in arriving at a cohesive and sensible public policy on labeling.

Mr. Speaker I would urge consideration of this bill.

Mr. Speaker, in a few weeks, this Congress will begin consideration of reform of the Food and Drug Administration. This Agency now regulates 25 cents out of every dollar spent on a good or service in this economy and its impact in our everyday lives runs deep. It performs several important functions such as protecting public health and safety.

Mr. Speaker, on June 29, 1995 I added to this debate and discussion by addressing how the Agency regulates foods and dietary supplements by introducing the Food and Dietary Supplement Consumer Information Act of 1995. I am aware that the issue of the dietary supplement regulation was considered in the last Congress and legislation was enacted. But that legislation fell short in a number of areas and also created an unlevel playing field for foods and dietary supplements. More importantly, a recent U.S. Supreme Court decision has raised the issue whether we ought to clarify the law with respect to claims, advertising, and important health information to the public.

One key issue that must be resolved, Mr. Speaker, is whether the American public has the right to receive and hear, truthful, nonmisleading information concerning the potential and proven health benefits of foods and dietary supplements. A recent U.S. Supreme Court decision, Rubin versus Coors Brewing Co. has provided us with guidance on clarifying the law with respect to claims and health information.

The issue of regulation of food and dietary supplements is among the most important to our constituents. We all must eat food daily to stay healthy. And over 100 million Americans are now supplementing their diets on a regular basis. There are three important issues raised by the American people that the Congress must act decisively upon:

First, the right to receive and hear truthful, nonmisleading information.

Mr. Speaker, the American public has been demanding to have access to all the scientific information available about foods and dietary supplements. Americans have recognized the power and influence on our health that nutrition plays in our well being. Public policy must reflect those objectives.

When we passed the Nutrition Labeling and Education Act in 1990 [NLEA], we authorized the FDA to pre-clear all health claims, claims that a food or dietary ingredient could prevent a disease or health related condition. Congress wanted the FDA to allow such claims because of the overwhelming scientific evidence between disease and nutritional status. It also was allowed so that industry could better educate its consumers regarding the benefits of their products. The FDA was given the discretion to use a standard that they called ''significant scientific agreement'' to decide whether to approve a health claim.

When the NLEA was passed, the FDA was asked to evaluate nine health claims for foods and supplements. It approved only two for supplements; first was that calcium prevents osteoporosis and second, after initially rejecting the claim, that folic acid prevents neural tube birth defects for women of child bearing age. It also approved claims that antioxidant and fiber rich foods like fruits and vegetables could help prevent heart disease and cancer. It refused to approve the same claims for supplements of those dietary ingredients.

The case of the folic acid health claim is most illustrative of the problem with the FDA being the censor of truthful, nonmisleading information and the terrible price our country pays for being kept in the dark. When NLEA was passed, the FDA was asked to evaluate a health claim for folic acid preventing certain birth defects. In November of 1991, the FDA denied the health claim, stating that there was no ''significant scientific agreement'' to approve the claim. Subsequently in July of 1992, the U.S. Public Health Service published an advisory asking all women of child bearing age to get adequate folic acid in their diets by foods or supplements to prevent these tragic birth defects. Public and scientific outrage finally forced the FDA to reverse itself in the fall of 1993 and the claim was approved. But what was most outrageous Mr. Speaker, was that the FDA testified in a Senate Labor and Human Resource Committee hearing in October 1993 that it had been aware of scientific data that folic acid could prevent these birth defects for 10 years. They argued that in their opinion, there was no ''significant scientific agreement'' when the Nutrition Labeling and Education Act was first enacted in 1990 until the FDA reversed itself in the fall of 1993. In the interim, the American public was kept in the dark, and an estimated additional 2,000 children were born with birth defects that could have been prevented had the information been allowed to reach women in a responsible manner. For 10 years when the first scientific data started coming in, women were not allowed to be told on food and supplement labels that folic acid might prevent neural tube birth defects. In this period of time, these tragic and irreversible birth defects struck approximately 20,000 babies. If any of my colleagues have ever seen a child born with anencephalopathy or spina bifida, then they know the pain and suffering these children and their parents face. These are children who are disabled, disfigured, and have short life spans. The costs to take care of these children run in the millions. Yet the information

was out there that an adequate amount of folic acid had the potential to avert these birth defects. The risk to women of child bearing age who could have received this information was zero. The benefit potential was thousands of birth defects prevented.

Now the same thing is happening with a class of nutrients called antioxidants which scientific research is showing huge potential in reducing or eliminating known risk factors for cancer and cardiovascular disease. When I introduced this legislation, the June 21st edition of the Journal of the American Medical Association published a study on vitamin E which provides compelling evidence that it can reduce the risk of heart disease. This is another study that adds to the overwhelming number of scientific studies that antioxidants have important contributions to make in the fight against degenerative disease that are driving our health care costs into oblivion. And in May, scientists confirmed that a mineral antioxidant, selenium, has the ability to protect the human immune system and minimize damage from viral infections. These studies promise innovation and cost effective treatments for people with viral illnesses. But such information will never reach the consumer in time under current FDA policies.

I want to emphasize that this legislation does not affect the current statutory and enforcement authority of the agency to protect the public. The FDA will continue to have its present authority to prosecute and remove mislabeled and fraudulent products.

Our desire must be to avail ourselves of this information so that the public can safely and beneficially use these inexpensive nutrients to protect their health. The American people have a right to hear truthful and nonmisleading health information about the foods and supplements they consume.

I think the philosophy and public policy objective concerning claims should be guided by the sage words of Justice Stevens who recently wrote in Rubin versus Coors Brewing Co.

> Any ''interest'' in restricting the flow of accurate information because of the perceived danger of that knowledge is anathema to the First Amendment; more speech and a better-informed citizenry are among the central goals of the Free Speech Clause. Accordingly the Constitution is most skeptical of supposed state interests that seek to keep people in the dark for what the government believes to be for their own good.

Over 100 million Americans consume dietary supplements on a regular basis. Americans are getting better educated and familiar about the food they eat by reading improved labels for foods. The payoff we anticipate is that Americans will use the power of nutrition and a healthy lifestyle to prevent or delay chronic disease and achieve optimal health.

Second, the American public does not want food or dietary supplements turned into drugs. They want unhampered and affordable access to health promoting foods and supplements.

Mr. Speaker, one of the ways the FDA uses its power to interfere with public access to products is by declaring them to be drugs and forcing their removal from the market. I think this is an important distinction and clarification that has to be made. The Senate passed version of S. 784 in the 103d Congress made it clear that dietary supplements could not be classified as drugs. However, this provision was deleted in the House when the final bill was passed. We should enact my legislation to make it clear that foods and dietary supplements cannot be drugs. In the context of health care we have created a system where when one classifies something as a drug a whole new set of regulations befalls that product. This system is specifically designed for patentable products for which industry is given the ability to recover the hundreds of millions of dollars required to go through the approval process. Unfortunately this system is poorly designed for foods and dietary supplements which are generally naturally occurring products and are nonpatentable. It also creates the unfortunate consequence on the public health that there is no low cost medicine. The best low cost medicine is prevention, Mr. Speaker. Nutritious foods, dietary supplements, and an overall healthy lifestyle can be good preventive medicine. It is therefore important that foods and supplements be kept out of the drug category in order to protect their ability to be used economically and affordably in the maintenance and preservation of good health.

Third, the American public has the right to make its own health choices.

The American people want their health freedom. With a $1 trillion sickness based health care system, people are looking for prevention and more treatment options. Let's give the people the information and access they want and let us empower them to take responsibility for their own health. Enactment of this legislation preserves this principle without sacrificing the role of Government to eve the guardian of the public health.

There are some other minor provisions in the bill which will save money and help to create uniformity among the 50 States. The legislation will ensure uniformity among the 50 States by requiring the same labeling, definitions, and claims standards for foods and dietary supplements. I think we all would agree on the necessity to make it economically efficient for manufacturers and consumers to have uniform standards for labeling, definitions, and claims.

The legislation also acts to resolve what is now a no longer needed result of Public Law 103–417, the establishment of a Presidential Commission on Dietary Supplement Labels. This Commission is unnecessary and would be a waste of taxpayer money. I don't believe, and many of my colleagues would agree with me, that we really need another Commission to spend the next 2 years and the FDA another 2 years thereafter to figure out how to inform the public. As long as the communication and information is truthful and not misleading as outlined by Supreme Court decisions, there should be no difficulty in arriving at cohesive and sensible public policy on labeling.

What the American people asked for in the food and vitamin labeling debate was clear, cohesive, rational, and sensible public policy with the responsible regulatory agency. In the 103d Congress, the U.S. Senate enacted legislation which would have accomplished this. However, the House amended the legislation to defer the most important issue on the information access question. The food and vitamin debate was not fully resolved and outstanding questions still remain. That was what was enacted into law. This debate will linger and smolder unless we act decisively to resolve this issue once and for all now. The U.S. Supreme Court has offered its wisdom to guide us to resolving some of these issues and I am confident that the 104th Congress will act decisively on the subject.

I am aware that some in this Congress believe that we ought to wait and see how the FDA regulates foods and supplements. However, the truth is that millions of letters were sent to Congress asking for a definitive solution and reform of this agency's regulatory mission. The public did not get what it asked for. Rather than tolerate anymore delays and foot dragging by this agency in implementing the will of Congress, it is time that we act now. I believe this Congress can deliver comprehensive and all-inclusive FDA reform. Reform of the Food and Drug Administration is one area where Congress can really make a difference to improve the lives of our constituents.

DECISION DAY FOR AMERICA'S FUTURE

The SPEAKER pro tempore (Mr. LONGLEY). Under the Speaker's announced policy of May 12, 1995, the gentleman from Pennsylvania [Mr. FOX] is recognized during morning business for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, we are fast approaching a decision date for America's future. The decision deals with balancing the budget for the first time since 1969. This is a bipartisan issue. While the Republicans are leading the way, it is for all Americans that we want to balance the budget. By doing so, it will generate economic dividends for families and individuals. It will mean, by balancing the budget, Mr. Speaker, lower housing costs.

According to a study conducted by the National Association of Realtors and McGraw-Hill, the average 30-year mortgage will drop by 2.7 percentage points on a 30-year $50,000 mortgage at 8.23 percent. Families will save $1,081 annually or $32,400 throughout the life of the loan.

By balancing the budget, we will lower car expenses. Car loan rates will be 2 percentage points lower than they otherwise would be. On a $15,000 5-year car loan, Mr. Speaker, at 9¾ percent interest, that is an extra $900 in the family budget.

By balancing the budget we will lower college costs. Student loan rates will be 2 percentage points lower than they otherwise would be. A college student who borrows $11,000 at 8 percent interest will pay $2,100 almost $2,200 less for schooling.

A balanced budget will lower taxes. A child born today will pay an average of $187,000 in taxes over 75 years to cover his or her share of the interest on the national debt. By balance the budgeting we can keep these payments from getting any larger.

Balance the budgeting will mean more jobs. By lowering interest rates, a balanced budget will create 6.1 million new jobs in 10 years. That will provide greater opportunity and economic stability for high school graduates, for college graduates, and for those who