

S. 830 is not just about the reform or modernization of a Federal agency. The activities of the FDA effect every single one of us, every single day. Whether it is taking an aspirin or brushing our teeth the FDA was involved. It ensured that the aspirin and the toothpaste was safe and effective. The FDA manufacturing standards protect these products so that we can feel confident that they were not contaminated or tampered with prior to our purchase.

The agency is also involved in making sure that new technology to diagnosis or screen for life-threatening illnesses is reliable and that the claims made by the manufacturer are consistent with the available technology. The FDA must also ensure the safety and effectiveness of all drugs as well. When we pick up a prescription like an antibiotic at the pharmacy, we never think twice about the safety or effectiveness of the drug. We simply assume that if taken properly it is safe and effective at treating an ear infection. It is because of the success of the FDA that we do take so much of this for granted.

This is not to say that there have not been problems in the past. But, I believe the changes and improvements made by S. 830 addresses some of these problems and that the commitment made by the chairman to maintain aggressive and effective oversight of the agency will prevent significant problems in the future. I know that there are some who are skeptical of the reforms and modernization called for in this legislation and they point to past problems at the agency as their proof. I am not dismissing past mistakes by the FDA, but I also do not believe we can allow the past errors to paralyze the agency. We have to move toward the future, and learn from the mistakes of the past.

The agency has been given a daunting task with limited resources. However, it has become obvious over the years that a major modernization was necessary in order to keep pace with the rapid changes in drugs and devices and the globalization of the biotech industry. In 1992 the Prescription Drug User Fee Act [PDUFA], the partnership between the agency and the prescription drug industry, was enacted. This major effort has proven to be a major success for the FDA, industry, and patients. I am pleased that we were able to include reauthorization of PDUFA in S. 830 that builds on the success of the 1992 legislation.

I am pleased that we have completed this process and are sending a solid, bipartisan bill to the President for signature. I am confident that enactment of S. 830, FDA Modernization and Accountability Act will prove to be one of the major accomplishments of the 105th Congress. I know that I am proud to have been directly involved in the development of this legislation.

I look forward to working with Chairman JEFFORDS and Senator KENNEDY in the same bipartisan manner as we tackle other public health reform initiatives.●

JONES ACT WAIVER—S. 1349

● Mr. MCCAIN. Mr. President, today the Committee on Commerce, Science, and Transportation agreed to be discharged from further consideration of S. 1349. The bill would waive the U.S. build and prior U.S. ownership requirements of the coastwise trade laws and allow the ferry *Prince Nova* to be employed in the coastwise trade.

Usually, Jones Act waiver bills such as S. 1349 are first considered by the Commerce Committee, and subsequently included in Coast Guard authorization legislation for final passage. In this case, the Commerce Committee did not have an opportunity to consider S. 1349 during the Committee's last executive session of this year. The Senator from Connecticut, however, requested the opportunity to have the Senate adopt the bill before the end of the first session.

Mr. President, the bill meets the Commerce Committee's usual criteria for adopting such waivers. Senator HOLLINGS, the ranking member of the Commerce Committee, and I agreed to request the Commerce Committee be discharged from further consideration of the bill so that the Senator from Connecticut's request could be accommodated.●

HAWAII'S EXCEPTIONALLY STRONG PATRIOTISM

● Mr. INOUE. Mr. President, the Honolulu Star Bulletin's weekly article, "Hawaii's World," written by one of Hawaii's most respected journalist, A. A. (Bud) Smyser, commemorated Veterans Day with an article entitled, "Hawaii's Exceptionally Strong Patriotism." This article appeared in the Thursday, November 6, 1997 edition. I ask that Mr. Smyser's article be printed in the RECORD.

The article follows:

[From the Honolulu Star Bulletin, Nov. 6, 1997]

HAWAII'S EXCEPTIONALLY STRONG PATRIOTISM (By A.A. Smyser)

For Veterans Day next Tuesday, I have a message from on high. The Defense Department's top officer in this half of the world calls Hawaii "the most patriotic community I know."

Adm. Joseph W. Prueher said that to a Chamber of Commerce of Hawaii lunch in July. He reiterated it recently when I asked for amplification.

He has been CINPAC (commander-in-chief Pacific) since January 1996, dealt with a lot of community matters, watched the turnouts of political and community leaders for Military Appreciation Week in May (which few if any other communities have), Memorial Day, Independence Day, Veterans Day and Pearl Harbor anniversary events.

He also is fully aware of the World War II contributions of Hawaii's soldiers of Japanese ancestry fighting to prove their loyalty. He is impressed by the still-continuing reunions of those groups with sons and daughters pledged to carry on.

He knows there are scratchy points in military-community relations such as the Makua Valley beach landing exercise, which he called off at the request of Governor

Cayetano and leaders of the Leeward Oahu community.

But he has faith the community remains behind the essential use of Hawaii facilities to train fighting forces. He works closely with Sen. Daniel K. Inouye, who says "this community pulls out the stops for the military more than any place I've ever seen."

He's a Navy man, of course, who sees more of our mainland coasts than inland, but his Army deputy, Lt. Gen. Joseph DeFrancisco, concurs. The only place DeFrancisco can think of that comes close to matching us in showing its patriotism is the Gulf Coast area of Georgia around Fort Stewart and Hunter Army Airfield. Our Navy League chapter of 5,000 is the biggest in the U.S.

Servicemen in Hawaii get stickers for their ID cards that entitle them to kamaaina discounts in Waikiki or elsewhere. They also get auto license discounts and reduced tuition at the University of Hawaii.

There's a two-way street, of course. The armed services are among the very best Aloha United Way contributors. They provide emergency medical airlifts and rescues at sea, are prompt with community disaster relief. They have adopted 130 public and private schools for renovation help and grounds cleaning. They recently gave six schools 205 computers.

They host the Special Olympics for children with disabilities, serve as Big Brothers and Big Sisters, help tutor children in all grades, and dig in for projects like litter cleanup around Diamond Head. They co-host Hydrofest, join in community parades and open their bases for visitation. Veterans' medical facilities at Tripler Army Medical Center are first-rate.

Hawaii's high cost of living is a concern for many service people, alleviated by the fact that 78 percent are housed on base. Past criticisms of our schools seem to have eased with more military-community interaction.

Most land use concerns have been quieted by creation of a joint military-civilian task force to review military needs and relinquish unneeded properties.

Makua is the current hot potato. The canceled beach landing would have been a first, but continuing use of the valley itself as a weapons training area remains a high priority need to the military, an intrusion to the civilian critics.

It is the kind of thing the governor and other top civilian officials will have to weigh carefully in light of the \$3.4 billion annual military spending here that is based heavily on our year-round training capability for all services.●

MAMMOGRAPHY QUALITY STANDARDS REAUTHORIZATION ACT

● Mr. JEFFORDS. Mr. President, I am very pleased that the Senate yesterday passed S. 537, the 5-year reauthorization of the Mammography Quality Standards Act. The original statute, now 5 years old, passed in 1992 with broad bipartisan support. Through the tireless efforts of Senator BARBARA MIKULSKI, the lead sponsor of the Mammography Quality Standards Reauthorization Act, we will be able to continue this critical program for women's health.

Prior to the passage of this legislation, breast tumors in women were often missed because of defective x ray equipment or inadequately trained personnel. Today, to operate lawfully, a mammography facility must be certified as providing quality mammography services. That means that a national uniform quality standard for

mammography has been established. It requires that facilities use only properly trained personnel, establishes a control program to ensure the reliability, clarity, and accurate interpretation of the mammogram, and now each facility undergoes an annual inspection.

Breast cancer is currently the second leading cause of cancer deaths among American women. One woman in eight will develop breast cancer during her lifetime, and, during the nineties, it is estimated that 500,000 women will die from the disease. If breast cancer is detected early, however, the probability that a woman can survive is greater than 90 percent.

Currently, the most effective technique for early detection of breast cancer is mammography, an x ray procedure that can often locate small tumors and abnormalities up to 2 years before they can be detected by physical examination. However, mammography is one of the most technically challenging x ray procedures, and ensuring the quality of mammography services is difficult. To address concerns about variations in the quality of mammography service provided by the more than 10,000 facilities throughout the United States and its territories, the Congress passed the Mammography Quality Standards Act of 1992.

This reauthorization continues an important program that gives the women of America and their families an assurance that the quality of services for this vital test has improved, and will, hopefully, encourage even greater numbers to take advantage of this life saving diagnostic tool.●

NEW REPORT DOCUMENTING THE RISKS OF PRIVATIZING SOCIAL SECURITY

● Mr. REID. Mr. President, in the last several years a virtual cottage industry has sprung up in this city to promote the privatization of this Nation's Social Security system.

Phase out, partially privatize, or dismantle Social Security entirely, say the privatization advocates, and let each American citizen invest their payroll tax on Wall Street and become a millionaire by retirement. With Social Security requiring adjustments to maintain its long-term solvency, and the Dow Jones until recent days seeming to hit stratospheric highs almost every day, the notion of letting the private markets provide for retirement has had a certain appeal for privatizers.

Now a thoughtful and extremely sobering new economic analysis is warning us to plant our feet back on solid ground and take a hard look at the very considerable and too-little discussed risks of privatizing Social Security.

On October 21, 1997 I was pleased to sponsor a congressional staff briefing which unveiled a report written by economist John Mueller of the

Lehrman, Bell, Mueller, Cannon, Inc. market-forecasting firm on behalf of the National Committee to Preserve Social Security and Medicare.

It is worth pointing out that this report is not the product of some anti-Wall Street or pro-big government partisan. John Mueller is a conservative, supply-side Republican who served for a number of years as the chief economist for Jack Kemp and the U.S. House Republican caucus.

After putting aside the usual optimistic rhetoric about privatization and actually examining the numbers, here's what John Mueller found:

That Social Security provides a measurably higher real return than all types of financial assets—including the stock market—when traditional calculations of risk are considered. In fact, financial asset returns, under the same economic conditions, are lower than the average return on a steady-state, pay-as-you-go Social Security system.

Social Security will be even more attractive, not less, than private investments in financial assets during the next 75 years, when actuarial projections contend that the U.S. economy is likely to slow to a 1.4 percent growth rate. The same economic and demographic factors that drove average, real stockmarket returns up by 10 percent annually in the past 20 years will drive Wall Street returns down to about 1.5 percent in the next 20 years.

Social Security, by financing a huge investment in human capital, has been an enormous engine for the growth of the U.S. economy. Privatization would result in lower investment, slower growth, and a smaller economy; the loss well could reach \$3 trillion and cost the economy at least 4 percent in lost growth during the next 75 years.

Mr. President, I urge my colleagues to obtain a copy and read John Mueller's report: Three New Papers on "Privatizing" Social Security, One Conclusion: Bad Idea. I would be pleased to provide a copy to any colleague who may be interested.●

HONORING CONGREGATION B'NAI ABRAHAM ON THE OCCASION OF ITS 90TH ANNIVERSARY

● Mr. FEINGOLD. Mr. President, I want to offer my congratulations to congregation B'nai Abraham, located in Beloit, WI, as its members mark 90 years of service to the Jewish community in southern Wisconsin.

Mr. President, B'nai Abraham was founded on November 7, 1907, by a group of people who were collecting funds to help a destitute man. It was a highly appropriate beginning to a congregation dedicated to providing comfort, inspiration, solace, guidance, and support. Since then, the members of congregation B'nai Abraham have nurtured a strong sense of community responsibility, and the congregation has embraced the role of the synagogue, as with any house of religious faith, as a

shelter and a center for renewal of the spirit.

But faith, like the body that carries it, only grows stronger with exercise, and by that I mean its application in our daily lives. The values I learned in my community, including diligence, compassion a sense of justice and feeling of responsibility to my community, have been cornerstones of my career in public service, and I have tried to apply those values in my work, including my efforts on bipartisan congressional reform, my support of Israel and the Middle East peace process, and my commitment to civil rights.

As with so many other Americans, the people who founded B'nai Abraham came from a culture whose members sought these shores to escape oppression, and they relied on one another for support even as the whole new world of challenge and opportunity spread itself out before them.

Mr. President, I grew up among the members of that community, and I counted on my congregation to provide the grounding in values and traditions every young person needs as he or she is growing up, as well as a sense of spiritual and cultural refreshment. It is particularly important for people of faith who find themselves in the minority to have a place to worship and to pass along their values and traditions to their children.

B'nai Abraham places a very strong emphasis on education, and congregations like B'nai Abraham also serve to represent their members to others and promote the awareness of Jewish heritage in our communities.

In that way, B'nai Abraham's members not only educate their neighbors but also show how people of diverse backgrounds still share experiences, histories and concerns, which can be a powerful encouragement to the continued efforts of so many Americans to promote understanding, tolerance, and cooperation.

Mr. President, I am a member of many communities America, the State of Wisconsin and the town of Middleton, but without this community of faith that has done so much to guide and support me, I would be a poorer man.

So, Mr. President, let me offer my warmest congratulations to congregation B'nai Abraham, and may its members enjoy good health and good fortune as they prepare to celebrate 100 years.●

WIRELESS TELEPHONE PROTECTION ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 167, which is S. 493.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 493) to amend section 1029 of title 18, United States Code, with respect to cellular telephone cloning paraphernalia.