

I would also like to take this opportunity to thank all those who remain dedicated to advancing the goals of the APA community. I commend all of the APA organizations across America for enhancing the voice of APAs in the political and social arena. Their tireless efforts inspire others to achieve their dreams. All Americans, regardless of their ethnic background and heritage, benefit from their work.

This year, many organizations are choosing to celebrate Asian Pacific American Heritage Month by focusing on theme, "Unity in Freedom." This theme resonates deeply in the wake of September 11th. Following the attacks, the APA community has been a leading voice in the fight to protect the civil liberties of all Americans, regardless of race, ethnicity, or religion. This deep and enduring commitment is a testament to the remarkable resilience of APAs throughout American history.

It is quite fitting that our great nation takes the time each year to honor the exemplary contributions of APAs. This month allows us a moment to reflect on the past successes and struggles of the APA community, as well as the promise the future holds. As we examine and celebrate the distinct heritage of Asian Pacific Americans, it is important to acknowledge that the diverse fabric of our nation is bound together by a shared set of values: freedom, liberty, and equal opportunity. The APA community has long exemplified these values. It is an honor to highlight Asian Pacific American Heritage Month on the floor of the U.S. House of Representatives.

#### ASIAN PACIFIC AMERICAN HERITAGE MONTH

**HON. DAVID WU**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2002*

Mr. WU. Mr. Speaker, I rise today in honor of Asian Pacific American Heritage Month. In 1992, President George H.W. Bush signed into law legislation that designated May as Asian Pacific American Heritage Month to recognize and celebrate the contributions of Asian Pacific Americans to our nation. From the building of the transcontinental railroad to the development of the Internet, APAs have played an active and profound role in the development of our country.

Asian Pacific Americans have helped to make tremendous advances in politics, medicine, technology, business, music, literature, film, athletics, and countless other fields. APAs have also honorably served to defend the United States in times of armed conflict, from the Civil War to today. As Chair of the Congressional Asian Pacific American Caucus, I am proud to recognize these achievements.

While many APAs are thriving, we must not forget those who are struggling to overcome obstacles, including language and cultural barriers as well as discrimination.

Mr. Speaker, I cannot stress enough the importance of improving data collection on Asian Pacific Americans. The tremendous diversity within the APA community poses challenges. Most data collections tend to lump various Asian Pacific Americans together in a single category, swallowing up numbers for each distinct group and failing to present an accurate

picture of subgroups. It is important that we recognize the distinct cultures, traditions and histories that make up the Asian Pacific American community.

America draws its strength from its tremendous diversity. APAs are one of the fastest growing populations with over 11.9 million people. We have greatly enriched the American landscape. I am honored to take part in Asian Pacific American Heritage Month by celebrating the many achievements of APAs in American history.

#### MEMORIAL DAY 2002

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2002*

Mr. HOYER. Mr. Speaker, I rise today to pay tribute in advance of this Monday's Memorial Day celebrations to the brave men and women who have sacrificed their lives while serving our country in the armed services. Memorial Day, originally founded as Decoration Day in 1868, is the one day a year that all Americans pay their respects to those killed in war.

The day's rituals are rooted in the tradition established by family members and friends who gathered in cemeteries to adorn the grave sites of loved ones who had died in battle with flowers, ribbon, and memorabilia. Today, we continue that tradition and gather as a country at important places of remembrance, such as Arlington National Cemetery or the World War II Normandy American Cemetery and Memorial in France, to demonstrate our appreciation and acknowledge the sacrifice of those who lost their lives in our perpetual fight to maintain our freedom and sovereignty.

This unique holiday is a time to reflect on what those who have died sacrificed on our behalf and give tribute to their selfless spirit. On November 11th, we laud our veterans for their bravery and dedication to duty. We hail our Independence on the 4th of July. On Thanksgiving Day, we give thanks for all that we have. The last Monday in May, however, is set aside to mourn those who died on the battlefield defending our Constitution, our country and our way of life—although we should certainly not confine our recognition to this one day.

We see this recognition and appreciation carried out in acts around the country, such as that of the 1,200 soldiers of the 3rd U.S. Infantry who place small American flags at each of the more than 260,000 gravestones at Arlington National Cemetery and patrol the Cemetery without cessation throughout the weekend to ensure each flag remains standing; or that of the Boy Scouts and Girl Scouts who place a candle at each of the approximately 15,300 grave sites of soldiers buried at Fredericksburg and Spotsylvania National Military Park on Marye's Heights.

Throughout the country, our landscape is embedded with powerful symbols and monuments that reflect our heritage. These symbols strive to keep us aware of all of those who have come before us. In our busy lives however, we often take our veterans and war heroes for granted. But I believe most Americans would agree that their valiant efforts should al-

ways be at the forefront of our collective memory and we should be careful to observe this important day to honor our fallen countrymen.

September 11th emphasized the importance of words like liberty, freedom and justice. We lost a tremendous number of men and women through an act of cowardice that caught us off-guard. And as so many had done before them, our nation's service men and women responded to our nation's call in the wake of that attack with fervor.

In Congress, we are working to support our troops abroad and strengthen America at home. The Department of Defense Authorization bill that recently passed the House of Representatives authorized over \$7 billion to combat terrorism and weapons of mass destruction. The bill also included pay raises of 4.1 percent or more for military personnel, over \$10 billion for military construction and family housing projects, and extended pay for certain reservists.

It also mends a disparity for military retirees who have not been able to receive their retiree pay as well as their disability pay. This bill will help improve our defensive readiness and improve the quality of life for all our active duty and veteran service men and women.

The fallen heroes who acted selflessly throughout our history in the face of tyranny and oppression fought a foe that we are still fighting to this very day. President John F. Kennedy once said, "A man does what he must—in spite of personal consequences, in spite of obstacles and dangers—and this is the basis of all human morality." All American's can learn from the bravery and courage of our lost soldiers. I urge my Colleagues to take a moment this Memorial Day and appreciate the freedom we have by remembering our fallen heroes.

#### PAYING TRIBUTE TO WORKERS IN NEW YORK CITY FOR RESCUE, RECOVERY, AND CLEAN-UP EF- FORTS AT SITE OF WORLD TRADE CENTER

SPEECH OF

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 21, 2002*

Mr. GILMAN. Mr. Speaker, I rise in strong support of the measure introduced by my friend and colleague from New York, The Gentleman from ? Mr. FOSSELLAI, recognizing the heroic efforts of the hundreds of men and women who served in the rescue, recovery, and clean-up operations over the past eight months at ground zero in Manhattan.

On that horrible day in September, our nation witnessed the best and the worst of humanity. The despicable, cowardly, barbaric terrorist acts were valiantly countered with the incredible heroism and courage of our firefighters, law enforcement officers, emergency personnel, and our fellow citizens.

In the hours, days, and months following the attacks, these first responders were joined by steel workers, electricians, construction workers, and a myriad of specialists in the clean-up operation. Their collective and sustained effort has resulted in the successful near-completion of the massive clean-up operation.

Accordingly, let us honor the sacrifices and patriotic valor demonstrated by everyone involved in this unprecedented effort. Accordingly, I urge my fellow colleagues to support this important measure.

HONORING HERMAN J. RUSSELL  
FOR HIS HARD WORK AND HIS  
SELECTION AS THE ATLANTA  
BUSINESS LEAGUE CEO OF THE  
YEAR

**HON. CYNTHIA A. MCKINNEY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2002*

Ms. MCKINNEY. Mr. Speaker, I rise today in honor of the achievements of Mr. Herman J. Russell of Atlanta, Georgia. Mr. Russell has been selected by the Atlanta Business League as its CEO of the Year for 2002.

Herman Russell transformed his father's small plaster business into a thriving conglomeration of property development and management businesses, which now span throughout Atlanta, Birmingham and the Southeast. Mr. Russell's 43-year old company has sculpted a number of major landmarks that are a part of Atlanta's infamous skyline.

Mr. Russell's accomplishments and influence extend well beyond the boardroom and into the community. He actively serves on several corporate boards and participates in many local, state and national charitable educational organizations. A philanthropist at heart, Mr. Russell provides scholarships for area youth, advice for budding entrepreneurs and support for economic development and empowerment.

Mr. Speaker, I rise today to honor Mr. Herman J. Russell, a pillar of the community. I am especially proud to know him and to have received lessons on the value of honesty and hard work. His unwavering integrity, consistent delivery of quality service, and generous community contributions exemplify the markings of a role model. Our community has been made better by his teachings and demonstrations of preparation, sacrifice, and dedication.

WINDSONG FILM FESTIVAL

**HON. MARK E. SOUDER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2002*

Mr. SOUDER. Mr. Speaker, Windsong Pictures, Inc., an independent, nonprofit motion picture company based in Fort Wayne, Indiana, is holding its Third Annual International Windsong Film Festival.

The Windsong Film Festival, which this year is featuring 25 award-winning independent motion pictures, is unique among film festivals because it specializes not only in showcasing professional independent filmmakers and films, but also in working with students of all ages who are interested in film production. This year the festival will show several motion pictures created by students at Elmhurst High School in Fort Wayne, which is also hosting the festival. College students will also be showing their work.

Holding this festival is a tremendous privilege for Elmhurst. It gives the school national

attention while giving students there a rare opportunity to explore the world of filmmaking. It reminds us that even with the financial pressures that are bearing on Elmhurst—and many other schools—it is important to keep fine arts education a part of our children's education.

This film festival, and the tremendous film program at Elmhurst, is due in no small part to Michael Floyd. Floyd is executive producer of the festival and, perhaps more importantly, the leader of Elmhurst Cinema Productions, the club that allows so many students the opportunity to make their own movies.

In addition to showcasing student work, the festival this year includes special screenings of professionally-produced independent movies for students, who after watching the films will be able to talk to the directors and ask them questions about their experiences in creating the films. Also this year, 32 student groups—from elementary age through high school—will receive awards and prizes for their own student productions.

You don't have to be in Hollywood to make movies. As a matter of fact, you don't even have to wait until you graduate from high school. I am proud of our students and our community for holding this festival and displaying once again Fort Wayne's thriving arts community.

PERSONAL EXPLANATION

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2002*

Mr. MENENDEZ. Mr. Speaker, because of a commitment to deliver a graduation commencement address in my District, I was unable to be present for all votes on May 21, 2002.

Honorable ROBERT MENENDEZ (NJ-13)

Mr. Speaker (Mr. Chairman), On rollcall no. 174, had I been present, I would have voted Yes. On rollcall no. 175, had I been present, I would have voted Yes. On rollcall no. 176, had I been present, I would have voted Yes. On rollcall no. 177, had I been present, I would have voted Yes. On rollcall no. 178, had I been present, I would have voted Yes. On rollcall no. 179, had I been present, I would have voted Yes. On rollcall no. 180, had I been present, I would have voted Yes. On rollcall no. 181, had I been present, I would have voted Yes. On rollcall no. 182, had I been present, I would have voted Yes.

CONFERENCE REPORT ON H.R. 3448  
PUBLIC HEALTH SECURITY AND  
BIOTERRORISM PREPAREDNESS  
AND RESPONSE ACT OF 2002

SPEECH OF

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2002*

Mr. STUPAK. Mr. Speaker, I rise today to speak out against the procedure used by the majority to consider and pass the Prescription Drug User Fee Act also known as PDUFA.

Yesterday we passed the conference report on bioterrorism almost unanimously.

I voted for it.

However, I did so over my unhappiness with the procedure used to consider PDUFA.

Through PDUFA, the drug industry pays fees to the Food and Drug Administration for timely review of drugs and biological agents.

We have heard a lot about how PDUFA works, but at what cost? What have we sacrificed?

What we have sacrificed under PDUFA is honesty, accuracy, and informative labels. These are the duties and responsibilities that affect every American consumer. Therefore, we must be very careful to make sure that we do not compromise safety or effectiveness that the American public has come to expect.

The FDA reached this agreement in closed-door negotiations with the very industry they are supposed to regulate!

I have many concerns with PDUFA, but I was not able to address them because we in Congress were not allowed to bring these concerns to the floor for a full and open public debate.

We weren't even allowed to have a committee markup on it.

Well, for the record my concerns are as follows.

First of all, the FDA is financially dependent upon an industry it regulates, and because under the new agreement user fees are dramatically increased, dependence will grow dramatically.

Instead of using industry funds, Congress should appropriate enough money to ensure FDA's regulatory authority is completely independent, above reproach, and free of undue pressure from the drug industry.

Second, it is more than clear that the approval of a drug or device based on relatively short-term information does not always give us complete information about a drug.

The number of drugs pulled off the market in the last 4 years is 12.

Now, I agree that 3 were pre-PDUFA but that leaves 9 drugs that raced through an accelerated PDUFA approval process with incomplete information.

This brings me to my third point.

Phase IV studies, also known as post-marketing surveillance, are nightmarishly inadequate and neglected to a shameful extent by both the FDA and the drug manufacturers.

The 1997 reauthorization of PDUFA—called PDUFA 2—ordered a study from FDA that would summarize how well the industry complied over the past 5 years with mandates to do phase IV studies.

The results of this study show the vast majority of drug companies do not do their mandated post-marketing surveillance studies.

Now I understand PDUFA 3 comes a long way towards addressing major concerns with post-marketing surveillance, but without any enforcement, there will be no post-marketing surveillance, as we saw in PDUFA 2.

So I suggest that we put civil monetary penalties pegged to the sales of drugs as one option that we should consider.

Another area of concern is the ability of the drug manufacturers to game the system.

While awaiting requested and required information from a manufacturer, FDA should be able to "stop the clock" on the time constraints PDUFA imposes.

Due to extremely tight decision deadlines in PDUFA, manufacturers know they can delay their response to FDA's requests for information long enough so FDA is forced to make a