

PHARMACEUTICAL MARKET  
ACCESS ACT OF 2003

SPEECH OF

**HON. JAMES A. LEACH**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 24, 2003*

Mr. LEACH. Mr. Speaker, consideration of H.R. 2427, the Pharmaceutical Market Access Act of 2003 involves a mosaic of liberal, conservative and moderate concerns which make the case for passage compelling.

From a liberal perspective it is clear that America's social fabric is being wrenched as many of our citizens confront drug costs they cannot meet. From a conservative perspective it is apparent that the current system involves the placing of restraints on trade that a country dedicated to free markets should philosophically find untenable. And from a moderate perspective, it is troubling that the worldwide cost of pharmaceutical research is borne disproportionately by the American consumer with the consequence that the cost of drug development, which is paid for by the American taxpayer through support of institutions like NIH and the American consumer through prescription drug prices, has come to represent one of the largest foreign aid programs in history.

The question is whether the cost of drug research and development should be borne on an even basis by all countries or almost exclusively by the U.S. consumer.

There are, of course, issues of safety raised by this measure before the House, but they will exist whether or not this legislation passes. Indeed, it may arguably be claimed that there is a greater incentive for counterfeiting drugs in a circumstance where American prices are inflated relative to those in other countries.

In addition, enormous safety concerns arise when individuals cannot afford the drugs they need and these must be taken into account in any equation attempting to balance all elements of the safety problem.

Critics of opening up trade in prescription drugs properly note that the bill under consideration does not provide increased resources for the FDA to adequately inspect overseas drug production and sales. It is my strong sense that there is consensus in this body that Congress must address this issue and provide the FDA with greater resources should this legislation pass.

Mr. Speaker, the cost of prescription drugs is not an issue exclusively for those who require them. Prescription drug are a significant component of healthcare costs in this country and this high cost of American healthcare is one of the factors incentivizing companies to invest and in many cases relocate abroad.

Bringing down drug costs is thus a jobs issue for all Americans as well as a cost concern for those individuals who rely on particular medicines.

Mr. Speaker, the pharmaceutical industry deserves our respect for having made scientific breakthroughs that have been of life-saving significance to countless individuals. The revolution in sophistication of drug treatment is just beginning, and care must be taken not to radically erode the industry's research base, but the pharmaceutical industry should not be more protected from market forces than other industries.

Protectionism is generally counter-productive, but seldom has a set of laws designed to provide a protective cocoon for an industry proven more cost disadvantageous for the public. I know of no industry which has such a substantially higher price structure in this country than abroad. Indeed, the genius of the American marketing structure is that there is virtually no processed commodity that cannot be bought cheaper here than abroad. The singular major exception is prescription drugs.

The most effective antidote to this market malady is competition. The public interest requires adoption of the Pharmaceutical Market Access Act of 2003.

SCHOOL READINESS ACT OF 2003

SPEECH OF

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 24, 2003*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2210) to authorize readiness of disadvantaged children, and for other purposes.

Mr. COSTELLO. Mr. Chairman, I rise today in opposition to H.R. 2210 the School Readiness Act. This is a bad bill that will bring significant changes to one of our nation's greatest success stories: the Head Start program.

The Head Start program was established in 1965 as part of the War on Poverty. The program was created to give low-income youth an opportunity to receive quality preschool education, so that they would not enter kindergarten at a disadvantage. In addition to preschool classes, Head Start also emphasizes medical, dental, and mental health; nutrition; and parent involvement.

Since its inception, the program has grown and undergone some modifications, but has remained a federal program, with federal standards, and with funds provided to the local Head Start programs.

This bill proposes to change that. It will end Head Start as we know it by weakening educational standards and threatening to dismantle the effective and high-quality Head Start program that has helped more than 20 million children and their families.

While the bill would make quality improvements to Head Start that I support, virtually all of these improvements, as well as the existing quality requirements, would be undone by turning Head Start over to the States in the form of a block grant.

Under the block grant, states are not required to follow the Head Start performance standards. I fear that this will weaken educational standards, by increasing class size, increasing child-teacher ratio, shortening program duration, cutting off three-year-olds from services, and using unproven curricula. In addition, there is no guarantee that the pilot programs will maintain the comprehensive services, including elimination of parent classroom involvement, health and mental health screenings and services, adult literacy services, vision and dental services, and health and nutrition education, that have made Head Start so successful.

Mr. Chairman, I support Head Start, but I cannot support this bill. It takes a giant step

backwards in providing vital services to our Nation's most precious assets, our children. I urge my colleagues to join me in voting no on this bill.

NINO JOACHIM TOLENTINO, 31ST ANNUAL SCRIPPS HOWARD REGIONAL SPELLING BEE CHAMPION (GUAM), 76TH ANNUAL SCRIPPS HOWARD NATIONAL SPELLING BEE PARTICIPANT (WASHINGTON, DC)

**HON. MADELINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate Nino Joachim Tolentino for winning the 31st Annual Scripps Howard Regional Spelling Bee on Guam and his advancement to the 76th Annual Scripps Howard National Spelling Bee in Washington, DC where he proudly represented our island.

Nino's spelling bee victory on Guam allowed him to compete nationally. At the national spelling bee, Nino successfully advanced to the third round. Although he was not ultimately victorious, Nino will walk away with an incredible experience, and a knowledge of the definition of "farouche", the word he spelled to propel him into the second round.

Nino is an eighth-grader at Santa Barbara School in Dededo, Guam. Nino has aspired to compete in the National Spelling Bee since placing third in his fifth grade regional competition. By studying the origin of words, their definitions and its pronunciation, Nino devised his own method for spelling new words. Additionally, the support of Santa Barbara School, particularly his vice principal and coach, Sister Maria Rosario Gaite, helped Nino prepare for competition. Nino's success illustrates the importance of dedication and commitment in pursuing goals.

On behalf of the people of Guam, I want to commend and congratulate Nino Tolentino for his accomplishments. Guam celebrates with Nino's mother, Joy Tolentino, and the faculty, staff and students of Santa Barbara School, in acknowledging his achievements. I look forward to Nino's continued success in the future.

STATE CHILDREN'S HEALTH  
INSURANCE PROGRAM

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. DINGELL. Mr. Speaker, I wish to thank Chairmen TAUZIN and BILIRAKIS for working in the true spirit of bipartisan cooperation on this issue. We have developed a compromise to protect health care coverage for hundreds of thousands of children under the State Children's Health Insurance Program (SCHIP).

The SCHIP program was enacted in 1997 and currently provides health care coverage to approximately 4.3 million children. But there have been some growing pains: the state funding allotment mechanism has not worked perfectly and as a result, some states have

been left with excess funding and others with too little.

Nearly \$1.2 billion of funding intended for children's health insurance coverage was returned to the Treasury over the past few years—not for lack of need, but as a result of these problems with the funding allocation.

Our bill will first preserve the \$1.2 billion in funds for states to use through fiscal year 2004.

In addition, the bill extends for one additional year the availability of \$1.5 billion in SCHIP funds from fiscal years 2000 and 2001 allotments, thereby allowing 50 percent of each year's unspent money to be retained by states that have not used their entire allotment.

The remaining 50 percent of unspent money would be distributed to states that have spent all of their respective year's allotment.

Finally, the bill will allow certain states to use a portion of their unspent funds for children covered through Medicaid.

I again thank the Chairman for his efforts to move this legislation forward and protect health care for children under SCHIP. I hope that the Senate will act quickly so that we can get this bill to the President's desk and expedite the flow of needed funding for children's health care.

#### NATIVE AMERICAN VETERANS BURIAL FAIRNESS ACT OF 2003

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. UDALL of New Mexico. I rise today to introduce the Native American Veterans Cemetery Act of 2003. This bill would make all Native American tribes eligible to apply for state cemetery grants. Under the current law, only states are eligible for veteran's cemetery grants. Supported by the Navajo Nation, the largest federally recognized tribe, this bill would not give preference or special exceptions to Native American tribes that apply for the state cemetery grants. It would simply allow tribes to apply for grants to establish, expand or improve tribal veterans cemeteries.

In addition to a resolution adopted by the Navajo Nation Council, the New Mexico and Arizona state legislatures have both passed memorials urging Congress to adopt this measure. New Mexico is home to almost 9,800 Native American Veterans, making it one of the top five states in the country with regard to its Native American veteran population. I believe it is time that Native American veterans who have served our country so honorably are allowed to pursue a decent, dignified resting place on their tribal lands.

#### HONORING MARCUS GARVEY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize and celebrate the anniversary of his birth on the 16th of August and to praise Marcus Garvey for his seminal contribution to the civil rights movement.

Marcus Garvey, born in rural St. Ann's Bay, Jamaica rose from the humblest of beginnings to attain international stature. He brought African nationalism and pride to the oppressed African-American community. In doing so, he challenged mainstream white America and predominant racist stereotypes. The passion and fervor with which the African-American community responded to Marcus Garvey's arrival indicated the boiling energy and pride that existed but without leadership. Marcus Garvey provided that leader, took pride in his skin color, and demanded that others do the same. In doing so, he energized a generation of African-Americans and laid much of the groundwork for the civil-rights movement.

In 1914, Garvey formed the Universal Negro Improvement Association (UNIA) and the African Communities League (ACL) while studying in England. In doing so, Garvey sought "to work for the general uplift of the Negro peoples of the world." At its peak, in 1922–1924, Garvey's movement encompassed over 8 million proud followers. Through the hundreds of UNIA chapters throughout the world and the newspaper *Negro World*, Garvey encouraged and worked for economic success and political influence for his followers. He urged people of African descent to create their own businesses and to wield the influence that accompanies personal wealth. He refused the notion that African-Americans could not succeed as entrepreneurs in the mold of Rockefeller and Carnegie. Such notions were novel and exciting for oppressed minorities around the world.

In what would prove to be a fatal mistake, Mr. Garvey organized a steamship company called "Black Star Line." Garvey designed his company to realize his dream of a powerful African nation built on the foundations of black culture and independence. The fundamental principle of Garvey's repatriation to Africa movement was one of pride. He wanted people of African descent to celebrate themselves and raise their culture to international prominence. Garvey awakened, energized and cultivated the modern nationalist movements that eventually opposed European colonial domination and began African self-determination.

Garvey sought to combat the racism and the stigma of black skin that had seeped into the culture of his own people. He made black dolls for black children and called for separate black institutions under black leadership. Mr. Garvey's pride and his activism threatened white America, and J. Edgar Hoover quickly took notice. After failing to uncover any evidence of subversion, Marcus Garvey was arrested and convicted of mail fraud relating to "Black Star Line." His sentence was eventually commuted, and Garvey was deported to his native Jamaica.

Considering that Marcus Garvey spent only 10 of his 52 years in the United States, his impact on our culture was phenomenal. The ideas that Mr. Garvey espoused were not necessarily phenomenal in their originality, but Mr. Garvey's charisma and rhetorical excellence forced not only African-Americans, but mainstream America, to listen to his message. While I encourage my colleagues to reexamine H. Con. Res. 74, exonerating Marcus Garvey, I've risen today so that Mr. Garvey's legacy and his contributions to racial equality are not forgotten.

I would like to share with you an Op-ed that I wrote in March of last year in support of H. Con. Res. 74.

In 1987, the centenary of Marcus Garvey's birth when I first introduced legislation to exonerate the great civil rights leader, the *New York Times* cited a study of J. Edgar Hoover's role in Garvey's prosecution:

"Hoover saw the blacks and the reds as a larger conspiracy. The new Negro movement, which Garvey symbolized, Hoover saw as a terrible threat to the American way."

Even then, in 1987, Hoover remained a near sacrosanct figure in Washington, not yet fully exposed as a bully who wielded the power of the nation's preeminent law enforcement organization. Today, the late former director of the FBI is widely discredited as a power-hungry blackmailer of U.S. presidents and a hateful bigot and slanderer of Martin Luther King who shied away from prosecuting organized crime while doing everything in his power to intimidate and undermine leaders of civil rights anti-war movements of the 1960's.

As Hoover's reputation declines—a pending bill in the U.S. House of Representatives would strike his name from FBI headquarters in Washington—Garvey's is rising. Last year's PBS documentary on Garvey placed his name among the giants of American 20th century Black history.

Marcus Garvey was one of America's great Black leaders and in the early 1920's he was wrongfully prosecuted and imprisoned on charges of mail fraud. It is time high time that the Congress of the United States of America recognizes this injustice and clear his name.

Born in St. Ann's Bay, Jamaica, August 17, 1887, Garvey epitomized the strength and pride of the people of the Caribbean. Garvey was virtually self-taught, reading voraciously from his father's extensive library. By 1910, and when residing in Kingston, he quickly established himself as a spellbinding orator and political organizer.

Garvey's philosophy and accomplishments challenged the myths of inferiority that demeaned people of African heritage in the 1920s. When lynching of Black men was commonplace, when house burning by Southern Klansmen and northern rioters were routine when theories of white supremacy were acceptable and notions of equality subversive, Marcus Garvey preached racial pride and economic independence.

He raised more than one million dollars from thousands of investors in the United States, the Caribbean, Africa and Europe to establish the Universal Negro Improvement Association (UNIA) and his well-known Black Star Line steamship company. The Black Star Line was established to purchase ships to initiate trade with and eventually carry New World Blacks to Africa. Indeed, one of Garvey's most important legacies was his internationalism, his recognition that the struggles of the Black people of America were linked by blood and history to the quests for independence by people of color around the world.

Garvey's success inevitably drew suspicion of an ambitious J. Edgar Hoover, who ordered the surveillance and infiltration of Garvey's UNIA. When evidence of subversion failed to turn up, Garvey was indicted on a business offense. Garvey's trial was a mockery of justice. The charges were confused, the evidence flimsy, and the judge biased. To make matters worse, Garvey insisted on defending himself.

In 1923, Garvey was convicted of mail fraud and sentenced to five years in prison. His appeals to higher courts were promptly denied. Numerous petitions for Presidential pardons signed by thousands of the very people whom he was accused of defrauding were rebuffed.

Garvey's prosecution was one of this nation's great miscarriages of justice. This fact has been well documented by Prof. Robert