

wish to work with them to craft legislation that achieves the goals they seek, while ensuring that the prescription drugs that Americans consume are as safe as possible. I see no reason why the Commerce Committee cannot roll up its sleeves and mark up good legislation for presentation on the House floor shortly after the August recess.

Mr. Speaker, the Crowley and Coburn Amendments block a key provision of the Prescription Drug Marketing Act (PDMA). This law came into being after an investigation revealed serious irregularities with respect to imported drugs. As stated in the April 1987 report of the Commerce Committee, "[t]he purpose of the legislation is to protect American consumers from mislabeled, subpotent, adulterated, expired, or counterfeit pharmaceuticals. . . ."

Recent investigations of Internet web sites indicate there is still cause for concern. In fact, the U.S. Customs Service recently reported a more than 400 percent increase in the amount of pharmaceuticals being shipped into this country via the U.S. mail, and that in many cases, the origin, purity, or history of the drugs being shipped is indeterminate. These are drugs with major health implications. A May 22 letter from Commissioner Kelly addressed to me and Representative KLINK noted the following: "[a]mong the most common types of pharmaceuticals seized by Customs are Diazepam; Tylenol with Codeine; Mathandienone; Alprozolam; Xanax; Valium; Codigesic; Lorazepam; Fenfluramine; Thyroid tabs; Panzatazocine; Cetabon; Andriol; Premarin; and Rohypnol, a powerful sedative sometimes described as a 'date rape' drug." Commissioner Kelly said that "[i]n most of the mail seizures that Customs encounters, the brand name and manufacturer of the products are not identifiable because the original packaging has been removed and repacked into containers that bear no marks or identification." These are the same sorts of mislabeling and repackaging shenanigans that the Subcommittee first identified when it investigated this issue more than a decade ago, and led to the PDMA.

Equally alarming are the findings of a hearing held just last month by the Subcommittee on Oversight and Investigations on the potential dangers of counterfeit bulk drugs, and the global problems they pose. Chairman UPTON, in his opening statement, said: "[t]he international community is also increasingly concerned. Just last month, the World Health Organization and international pharmacists and international drug manufacturers publicized their concerns about counterfeit drugs. Some have estimated that 50 to 70 percent of the drugs in some developing countries are counterfeit." Why is it that we don't believe these drugs can find their way into countries where U.S. consumers may wish to purchase their medications? This is particularly troubling given the FDA's confirmation later in the hearing to Representative BURR that it has information that there were injuries to American citizens associated with counterfeit products.

Chairman BLILEY has also documented potential serious dangers with drugs from foreign sources. In a lengthy May 8, 2000, letter to FDA Commissioner Henney he suggests that not only have Americans possibly been injured or even killed from foreign-made pharmaceuticals, but that "[d]evelopments from this investigation require the Committee to intensify its examination and request that the FDA

consider taking certain actions to protect the American public."

First and foremost, the PDMA is a public health and safety law. We should therefore tread carefully before changing it. I am greatly concerned that the amendments adopted by the House lack the care and craftsmanship needed to ensure both access to less expensive prescription drugs and assurance of safety for the consumer.

The investigation that led to the PDMA discovered a "diversion market" that prevented effective control over the true sources of merchandise in a significant number of cases. The integrity of the distribution system was insufficient to prevent the introduction and eventual retail sale of substandard, ineffective, or even counterfeit pharmaceuticals. As the Committee report stated, "pharmaceuticals which have been mislabeled, misbranded, improperly stored or shipped, have exceeded their expiration dates, or are bald counterfeits are injected into the national distribution system for ultimate sale to consumers."

The PDMA was "designed to restore the integrity and control over the pharmaceutical market necessary to eliminate actual and potential health and safety problems before serious consumer injury results." The Committee report specifically outlined the concerns PDMA was intended to address: "Reimported pharmaceuticals threaten the American public health in two ways. First, foreign counterfeits, falsely described as reimported U.S. produced drugs, have entered the distribution system. Second, proper storage and handling of legitimate pharmaceuticals cannot be guaranteed by U.S. law once the drugs have left the boundaries of the United States." The PDMA is not perfect. But I dare say that the PDMA has saved a lot of lives.

Now let us note why legislation to modify the PDMA in a responsible fashion is an idea whose time has come. Foreign drugs are often less expensive than domestically available products. Notwithstanding the range of safety risks they pose, many Americans seek them out because of outrageously high domestic prices that make drugs unaffordable for many Americans, particularly the elderly. I am open to a careful review and revision of PDMA for the purpose of creating a paradigm for drug importation that is safe for our consumers while facilitating access to the international market prices at which many commonly prescribed prescription drugs are available.

Mr. Speaker, I do want to acknowledge beneficial aspects of the amendments to which these comments are addressed. An overwhelming majority of my colleagues from both sides of the aisle are now on record for the proposition that the price Americans pay for prescription drugs is too high. Lack of access to medically necessary prescription drugs is a real problem faced by millions of Americans. Let us do better and give consumers access to lower priced prescription pharmaceuticals that are safe.

CAPTAIN ADAN GUERRERO

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 2000

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to a special service officer, Captain Adan

Guerrero, commander of the United States Coast Guard Marine Safety Office in Corpus Christi.

Captain Guerrero is the model service officer for the Coast Guard. In addition to being a great guy who deals squarely with whatever comes up and a tireless advocate for the United States Coast Guard and the men and women who serve in his command, he is also a hometown boy.

This Coastie from Corpus Christi began his service with the U.S. Coast Guard after graduating from the Coast Guard Academy in 1974. He served first as a deck officer on the USCGC *Morgenthau* from 1974 to 1976 when it was homeported in New York City. He served as engineer officer aboard the USCGC *Durable* homeported in Brownsville, Texas from 1983–1986.

Captain Guerrero started a career in marine safety at the Marine Inspection Office in New Orleans, where he served as a marine inspector, investigating officer and licensing examiner. He also served as the Coast Guard liaison officer at the United States Embassy in Mexico City before returning again to the Marine Safety Office Training Office. From 1990–98, he served as the executive officer responsible for marine safety and environmental protection on over 500 miles of the Ohio River.

Before returning to Corpus Christi, he was chief of the Vessel and Facility Operating Standards Division, Office of Operating and Environmental Standards, Coast Guard Headquarters in Washington, DC. He represented the United States when he headed the delegation on Ship/Port Interface Working Group of the International Maritime Organization in London.

He also served as director of the National Offshore Safety Advisory Committee and the Commercial Fishing Industry Vessel Advisory Committee. He has been awarded two Coast Guard Commendation Medals and three Coast Guard Achievement Medals with Operational Distinguishing Device.

I ask my colleagues to join me today in wishing Captain Guerrero well upon his retirement with his wife, Silvia DeLaRosa of Corpus Christi, and their children, Nicolas and Benjamin.

HONORING LIEUTENANT DENNIS SLOCUMB ON HIS RETIREMENT AFTER 32 YEARS OF SERVICE

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 2000

Ms. SANCHEZ. Mr. Speaker, today I would like to congratulate Lieutenant Dennis Slocumb on his retirement after 32 years of service with the Los Angeles County Sheriff's Department. Mr. Slocumb has devoted his career to protecting the lives of all Californians, and in doing so, I would like to pay tribute to Dennis who has exemplified the notion of public service and civic duty.

Lieutenant Slocumb entered the Sheriff's Department in 1968, and during his 32 years of service he assisted the community as a patrolman, a press liaison and lieutenant detective. His most recent assignment was to serve as the president of the Los Angeles County Professional Peace Officers Association, representing over 6,000 law enforcement professionals.

Upon his retirement from the Sheriff's Department, Lieutenant Slocumb will be honored by his community and his colleagues to serve as executive vice president with the International Union of Police Associations in Alexandria, Virginia.

What makes these accomplishments even more remarkable is that Dennis is a devoted husband and father of one. Lieutenant Slocumb's role as a public servant to the people of his community and all Californians will not go unnoticed. Dennis truly lived the life of a model police officer and he has earned the right to say that he's made a difference.

It is with this, that I would like to honor Mr. Slocumb and his efforts to make his community a better place to live. His dedication and know-how have distinguished him greatly. The citizens of California owe Dennis a lot of gratitude and I wish him well.

TRIBUTE TO THE LATE TOMMIE J. ROBINSON

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 11, 2000*

Mr. THOMPSON of Mississippi. Mr. Speaker, it gives me great pleasure to stand before you to commemorate the memory of the late Tommie J. Robinson. Robinson was one of Bolton, Mississippi's oldest residents.

Robinson, a homemaker, died of heart failure on June 23, 2000. She was 106 years old. To many, Robinson was the town historian. People from all around would come to her and say, "What was life like in Mississippi 50 years ago?"

A devoted wife and mother, Robinson worked very hard to make her community a better place for future generations. Formerly a member of Asbury United Methodist Church, Robinson later became a member of Mount Olive Missionary Baptist Church until her death.

Robinson was an advocate for education in the black community. She encouraged black youth to seek higher education, and promoted the importance of reading. Robinson was very well known for her acute spelling ability. Many of her neighbors and friends would rely on her keen spelling abilities and challenge her to test her knowledge. She always proved triumphant.

Mr. Speaker, Tommie J. Robinson has touched the lives of many people. She will be missed, and she will always be remembered by the people of Bolton as one who loved the state of Mississippi.

INTRODUCTION OF THE PARTICIPANT ADVOCATE BILL

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 11, 2000*

Mr. ANDREWS. Mr. Speaker, today Senator HARKIN and I are pleased to introduce legislation to create an Office of Pension Participant Advocacy within the Department of Labor. This is an idea whose time is long overdue. Over the last several decades, and particularly

since Congress enacted the Employee Retirement Income Security Act of 1974, our pension system has grown increasingly complicated and less "employee-friendly". Even in the best of circumstances, pension law is complex. But, when employees or retirees have questions or problems, understanding and maneuvering through our pension system can be a nightmare.

I, and many other members of Congress, have long believed that individuals need a single easy place that they can turn to when they have problems with our pension system. Currently, pension issues are handled by a variety of agencies, including the Department of Labor, Department of Treasury, Internal Revenue Service, Pension Benefit Guaranty Corporation, as well as several other agencies. Finding the right agency itself can be a challenge. In addition, these agencies often are not set up to help with individual problems and concerns. The IRS and Treasury Departments primarily focus on tax abuses, not individual inquiries. For many years, the Department of Labor had little or no staff to help individuals with specific problems. Even though the Department has worked hard in the past five years to develop a team of "benefit advisers", there is no clear statutory mandate for this program, nor clear directive that the Department should provide an easy and accessible entry point for individuals with pension problems. The American people need a simple place to go to address their pension concerns. There is no need or reason to seek out expensive lawyers when an individual has a particular pension problem which may involve a small amount of money dollar-wise, but mean the difference between a decent and an impoverished retirement to that person.

The Office of Pension Participant Advocacy would establish a clear Congressional mandate that the Department of Labor should be the entry point for individuals with their pension problems. We are not talking about creating a new bureaucracy, but streamlining and improving the existing system. Under our legislation, the Department of Labor would establish an Office of the Pension Participant Advocate that would be headed by a senior executive with demonstrated expertise in pension participant assistance. The Office would evaluate the efforts of existing entities to assist pension plan participants and promote the effectiveness of our pension system by increasing awareness of the importance of pensions and ensuring that the pension benefit rights of individuals are protected. The Pension Participant Advocate annually would report to the Administration and Congress on policy issues it has encountered and make recommendations for resolving them.

We hope this bill will receive widespread bipartisan support. Over the past several years, a bipartisan group of members and outside organizations has expressed concern about the shortcomings of our current pension assistance system. We hope this bill will provide a meaningful and cost effective solution to the system's current inadequacies and look forward to working with our colleagues towards its enactment.

PERSONAL EXPLANATION

**HON. RUBEN HINOJOSA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 11, 2000*

Mr. HINOJOSA. Mr. Speaker, yesterday I hosted Labor Secretary Alexis Herman in my Congressional District who was meeting with local officials and community members. Our late return to Washington resulted in my missing the following votes on H.R. 4461, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001:

Roll No. 373, on agreeing to the Coburn amendment that sought to prohibit the use of any funding for drugs solely intended for the chemical inducement of abortion. Had I been present I would have voted no.

Roll No. 374, on agreeing to the Royce amendment that sought to reduce by one percent each amount that is not required to be appropriated or otherwise made available by a provision of law. Had I been present I would have voted no.

Roll No. 375, on agreeing to the Crowley amendment that prohibits the FDA from taking actions that restrict the purchase of prescription drugs in Canada and Mexico by United States citizens. Had I been present I would have voted aye.

Roll No. 376, on agreeing to the Royce amendment that sought to prohibit any funding to award any new allocations under the market access program or pay salaries of personnel to award such allocations. Had I been present I would have voted no.

Roll No. 377, on agreeing to the Coburn amendment that prohibits the FDA from taking any action to interfere with the import of drugs that have been approved for use within the United States and were manufactured in an FDA approved facility in the United States, Canada, or Mexico. Had I been present I would have voted aye.

Roll No. 378, on agreeing to the Sanford amendment that sought to prohibit any funding by the Department of Agriculture to carry out a pilot program under child nutrition programs to study the effects of providing free breakfasts to students without regard to family income. Had I been present I would have voted no.

A TRIBUTE TO THE ALL-AMERICAN EAGLES PARTICIPANTS

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 11, 2000*

Mr. LIPINSKI. Mr. Speaker, today I congratulate the participants of my 2000 All-American Eagles program. When I was a Recreation Supervisor with the Chicago Park District in the late 1960's, I started the All-American Eagles competition. In 1983, I was elected to represent the people of the (current) Third Congressional District of Illinois, and brought the program to Southwest Chicago and its near suburbs. After thirty-one successful years, this program is still the cornerstone of my efforts to recognize and honor many of our