

with peanut butter, spinach, and pet food show me that our Nation's food safety policies are pitifully lacking. Therefore, I am supportive of Senator DURBIN's work and also the considerable work of Senator ENZI and his staff to resolve problems that were found with the draft amendment.

For the edification of my colleagues, section 201ff of the Federal Food, Drug and Cosmetic Act, FFDCFA, contains the definition of dietary supplements. That definition includes a proviso that supplements are to be considered foods, except in the instance when a product makes a drug claim. In other words, by Federal law, dietary supplements are generally considered to be foods.

It is for this reason that the language of the original Durbin amendment establishing a new adulterated food registry could have been read to apply to dietary supplements.

This raised problems for me, and indeed for our colleague Senator HARKIN, since we had spent more than 2 years working with Senators DURBIN, KENNEDY, and ENZI to draft, pass and enact the Dietary Supplement and Nonprescription Drug Consumer Protection Act, Public Law 109-462. That law authorizes a new program so that reports of serious adverse events related to the use of a dietary supplement or over-the-counter drug would be reported to the Food and Drug Administration, FDA, on a priority basis.

As I said, the Durbin amendment contemplates a new adulterated food registry. Under the provisions establishing that registry, reports of adulterated foods would be made by many, if not all, of the same parties who are required to file reports of serious adverse events associated with the use of dietary supplements under Public Law 109-462. And so passage of the Durbin amendment could be seen to supersede the law we enacted last year for supplements, which I am relieved to hear was not the intent of our colleague, Senator DURBIN.

Consequently, the amendment we adopted yesterday contains language that Senator HARKIN and I suggested to make certain that dietary supplements would not be covered by the new food safety language and thus last year's law would not be superseded. To reassure those who are interested in the Dietary Supplement Health and Education Act, DSHEA, I wanted to take a moment to outline those changes.

First, there is new language in the section establishing the adulterated food registry to express the sense of the Senate that: (1) DSHEA has established the legal framework to ensure that dietary supplements are safe and properly labeled foods; (2) the Dietary Supplement and Nonprescription Drug Consumer Protection Act has established a mandatory reporting system of serious adverse events for nonprescription drugs and dietary supplements sold and consumed in the United States; and (3) the adverse events reporting system under that act will

serve as the early warning system for any potential public health issues associated with the use of these food products.

In addition, language contained in the Durbin amendment modifies the definition of supplement contained in 201ff of the FFDCFA so that supplements will not be considered foods for the purpose of the new adulterated foods registry. This in no way would alter the time-honored conclusion of the Congress that supplements are to be considered foods. On the contrary, all it would do is exempt supplements from the registry.

These changes, all contained in the amendment which was approved yesterday, make clear that there are no new dietary supplement requirements in the Food and Drug Administration Revitalization Act. It is my hope this will reassure the many who have expressed concern that Congress was inadvertently repealing Public Law 109-462.

Mr. KOHL. Mr. President, I rise to make a correction to the record. Earlier today, I erroneously named Senator LEAHY as a cosponsor of my amendment No. 991. Senator LEAHY is not a cosponsor of this amendment.

I thank the chair.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators allowed to speak therein for a period of up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE SYMBOLIC TRANSFER OF THE HISTORIC WALDSEEMÜLLER MAP

Mrs. FEINSTEIN. Mr. President, as chairman of the Joint Committee on the Library, I want to take this opportunity to recognize the symbolic handover of the historic 1507 Martin Waldseemüller Map from German Chancellor Angela Merkel to the American people. This event took place Monday at the Library of Congress.

The map is often referred to as "America's birth certificate." It was designed and printed by Martin Waldseemüller, a 16th century scholar and cartographer who worked in France. This mapmaker departed from accepted knowledge of the world at that time. He portrayed, in remarkably accurate fashion, the Western Hemisphere separating two huge and separate bodies of water, the Atlantic and Pacific Oceans.

There were 1,000 copies of the map printed from woodcuts, but only a single surviving copy exists today. The Library of Congress worked for decades to acquire this map from its owners. The map was housed for more than 350 years in the 16th century castle belonging to the family of Prince Johannes Waldburg-Wolfegg in southern Ger-

many. The map was long thought lost, but it was rediscovered in storage in the castle in 1901.

In 1992, knowing of the Library's great interest in acquiring the map, Prince Waldburg-Wolfegg notified the Library that the German national government and the Baden-Württemberg state government had granted an export license. This license permitted the map, which is considered a German national treasure, to come to the Library of Congress.

The purchase of the map was accomplished through a combination of appropriated funds and matching private funds. Congress has played an important role in making this acquisition possible, as it has throughout the Library's history. Congress's first major purchase was Thomas Jefferson's library, which is the seed of the vast collections the Library holds today. Another once-in-a-lifetime purchase made possible by congressional support is the Gutenberg Bible, which is on display in the Jefferson Building.

The Library will begin displaying the map to the public in the Thomas Jefferson Building later this year. The map will be part of the Library's new visitor's experience. As an important acquisition to the Library's treasures, the map will be on view for limited periods of time as preservation standards permit.

#### AMERICA COMPETES ACT

Mr. DOMENICI. Mr. President, I would like to speak for a brief moment about recent Senate approval of the America COMPETES Act.

This legislation is the product of several years of work by many individuals here in the Senate and it was immensely gratifying to see this bill pass the Senate. For the last 3 years Senators from numerous committees, Republicans and Democrats, have worked together on this legislation. They saw America falling behind the rest of the world in math and science and realized the need to do something. Well I believe this bill is going to do that something. It will double spending on physical science research, provide money to recruit 10,000 new math and science teachers and retrain hundreds of thousands of our existing ones. This bill is a huge step in the right direction for our country, a step that could not have been taken by just one Senator or one party. In these often partisan times, the America COMPETES Act is a fine example of what this body can accomplish when it works together in a bipartisan manner.

I am very proud of the work my colleague from New Mexico Senator BINGAMAN, Senator ALEXANDER and I put into this legislation. I am proud that the members of our committee, Energy and Natural Resources, continue to work in this bipartisan way.

Additionally, I ask unanimous consent that two articles concerning the America COMPETES Act, one from the

Santa Fe New Mexican, the West's oldest newspaper, and one by David Broder of the Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Santa Fe New Mexican, May 3, 2007]

JEFF, PETE PROVIDE BOOST FOR SCIENTIFIC RESURGENCE

David Broder's right: Senate approval of the America COMPETES Act, he notes in today's column, is big news. This nation lurched from lethargy to the moon during the dozen exciting years that followed Russia's launch of a man-made earth satellite—then most of us went back to our beer and barbecues, leaving all too few dedicated individuals fighting to keep us in the big leagues of pure science and high technology. Thus this act.

It might have gotten short shrift from the national press, but the importance of this bill wasn't lost on The New Mexican's Andy Lenderman: He reported, on the front page of our local news section Saturday that this was overdue action on the math-and-science front.

The measure, the full name of which is America Creating Opportunities to Meaningfully Promote Excellence in Education and Science Act of 2007—an aggravating cuteness whose creator should be banished to Madison Avenue—features a four-year, \$16-billion authorization of new money to invest heavily in physical-sciences research, recruitment of new math and science teachers nationwide, while updating those in the field. It would be part of a \$60 billion campaign to put America back—and in some areas keep it—at the cutting edge of theoretical and applied science.

Lenderman noticed that the bill, with Majority Leader Harry Reid's sponsorship, was approved by an 88-8 tally. But at least as important as the political weight was the groundwork laid by New Mexico's senators:

Jeff Bingaman, who has spent so much of his Capitol Hill career urging his colleagues to support the sciences and academics in general, sponsored a 2005 study—the report of which carried a title both ominous and promising: “Rising Above the Gathering Storm.” It told our nation of the challenge from China, India and other nations in science and technology—which could cost our country its competitiveness in world markets.

If evidence were needed to support that concern, we need only look at our schools: Only 29 percent of eighth-graders nationwide tested proficient in science. In New Mexico, only 18 percent did.

This isn't a Sputnik situation of 50 years ago, where within four months America had its own satellite in orbit while back on earth science fairs were the rage; this is a case of math-dedicated cultures creeping past one of B.A. generalists dedicated to fun, comfort and prestige predicated on material goods.

It'll take more than money to rebuild momentum: Some of America's many Renaissance-person scientists must be persuaded to sing the glories of research—or at least the joys and rewards of what sometimes results from it. Computers as tools and toys, too, should help.

What's great is that Bingaman and fellow Sen. Pete Domenici, so often teammates in bipartisan congressional initiatives, have put their skills and influence together for this push. They're their parties' highest-ranking members of the Energy and Natural Resources Committee, and Domenici still is influential on the budget and appropriations committees.

New Mexico, with its national scientific laboratories, stands to benefit from this initiative—which comes, we hope, en buena hora for the people of our region: Just last week, contractors at Los Alamos National Laboratory laid off scores more of the workforce.

The construction and maintenance people there have always been at the mercy of LANL's whims, and those of its academic and technical allies. But some of their children are seeing the need for higher education to provide them more steady work. The America COMPETES Act could raise awareness of, and provide support for, generations of homegrown scientific and technical people.

The bill still must make it through the House of Representatives—and as Broder implies, our nation's news media could and should help the effort along.

[From the Washington Post]

COMPETES ACT IS REAL BOOST, REAL NEWS  
(By David Broder)

On Monday, with few of his colleagues present and the Senate press galleries largely unoccupied, Sen. Lamar Alexander of Tennessee took the floor to make one of those personal statements that fill the Congressional Record, but rarely go any further.

“Last week,” he said, “while the media covered Iraq and U.S. attorneys, the Senate spent three days debating and passing perhaps the most important piece of legislation of this two-year session. Almost no one noticed.”

Alexander has a point. The bill, boldly named “the America COMPETES Act,” authorized an additional \$16 billion over four years as part of a \$60 billion effort to “double spending for physical sciences research, recruit 10,000 new math and science teachers and retrain 250,000 more, provide grants to researchers and invest more in high-risk, high-payoff research.”

As Alexander noted, “these were recommendations of a National Academy of Sciences task force” that he and others had asked to tell Congress the 10 things it most urgently needs to do “to help America keep its brainpower advantage so we can keep our jobs from going to China and India.”

Back in December 2005, I wrote about the report that Alexander, and Sens. Jeff Bingaman and Pete Domenici, both of New Mexico, had requested—and about the bipartisan support that seemed to be available for this “competitiveness” agenda. I even suggested that it was a natural topic for President Bush's 2006 State of the Union address, if he wanted to break through the growing partisan roadblocks on Capitol Hill.

The President included these ideas in his message, but did little to build public support or press Congress for action. Nonetheless, major elements of the bill passed the Senate last year, only to bog down in the bitterly divided House.

But persistence paid off. As Alexander said, “Senators and their staffs worked across party lines for two years. Senior committee members, chairmen and ranking members, waived jurisdictional prerogatives. The administration participated in extensive ‘homework sessions’ with senators and outside experts. The effort was so bipartisan that when the Senate shifted to the Democrats in January, the new majority leader and minority leader introduced the same bill their predecessors had in the last Congress. Seventy senators co-sponsored the legislation. . . . The final vote was 88-8.”

The fight is far from over.

The House has yet to act on most of the provisions, and finding the money to carry it out will not be easy. Alexander and Binga-

man added an amendment to the budget resolution, allowing \$1 billion of extra spending for the first-year costs of the program.

Domenici and other appropriators will try to steer funds in that direction, Alexander said.

The Tennessee Republican's larger point is that this is the model that Congress and the president need to follow—if any of the major challenges facing the country are to be met.

“There are issues that are too big for either party to solve by itself,” Alexander told me. “Globalization and competitiveness are two of them. Immigration is the next one on the agenda. And then there is health care.”

He pointed out that the bipartisan breakfast sessions he and Sen. Joe Lieberman of Connecticut have been hosting regularly this year have included discussions of health policy.

As a byproduct of the breakfasts, “10 of us, five Republicans and five Democrats, have written the President saying that we are ready to work with him on a bill that has two principles—universal coverage and private markets. We hope he responds.”

Iraq looms as the supreme test, of course, and Alexander, a Bush supporter, nonetheless says “it was a mistake” for the president not to seize on the Baker-Hamilton commission recommendations as the basis for a bipartisan answer to the dilemma of the war.

“It's still sitting there on the shelf,” he said, implying that Bush will have to come back to Baker-Hamilton at some point.

Meantime, Alexander has a gentle reminder for the press that our mind-set means that “unfortunately, bipartisan success, even on the biggest, most complex issues, has an excellent chance of remaining a secret.”

“Despite the size of the accomplishment, the passage of the 208-page America COMPETES Act was barely noticed by the major media.”

This is not a complaint, merely an observation. More than ever, the media, outside interest groups, and party structures reward conflict and the taking of irreconcilable positions. There is little reward for reconciling principled positions into legislation.”

Sadly, I think he is right.

ADDITIONAL STATEMENTS

CONGRATULATING UNITED PARCEL SERVICE ON ITS 100TH ANNIVERSARY

● Mr. LAUTENBERG. Mr. President, I wish to recognize and congratulate the United Parcel Service on its 100th anniversary. In these 100 years, many of us have grown to see UPS's ubiquitous brown vans as symbols of reliability and to know and trust the remarkable people who drive them. As UPS has evolved to become the largest package delivery company in the world, it has become a cornerstone of commerce in America and a vital part of my State's economy.

When James E. Casey founded UPS in 1907 with a \$100 loan from a friend, surely it would have been beyond even his wildest dreams that the company would grow to deliver 15.6 million documents and packages every day, to employ 360,600 employees here in the United States, and to make deliveries to over 200 countries and territories throughout the world. By constantly innovating and improving service and