HOUSE OF REPRESENTATIVES—*Friday, November 26, 1993*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In this season of thanksgiving, we pray, O God, that we would continue the days ahead in the spirit of gratitude and praise for Your gifts to us. For us and for our Nation we know that if we have no vision, we will perish; if we have no faith, we will be consumed by doubt; if we have no hope, life will lose all meaning and days will be empty; if we have no love, we will never know the joy and satisfaction of sharing and caring, of affection and understanding. May the spirit of this season of thanksgiving abound in our hearts and all we do, now and evermore. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri [Mr. GEPHARDT], the majority leader, please lead the House in the Pledge of Allegiance.

Mr. GEPHARDT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H.R. 486. An act to provide for the addition of the Truman Farm Home to the Harry S Truman National Historic Site in the State of Missouri;

H.R. 3216. An act to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to control the diversion of certain chemicals used in the illicit production of controlled substances such as methcathinone and methamphetamine, and for other purposes;

H.R. 3321. An act to provide increased flexibility to States in carrying out the Low-Income Home Energy Assistance Program;

H.R. 3514. An act to clarify the regulatory oversight exercised by the Rural Electrification Administration with respect to certain electric borrowers;

H.R. 3616. An act to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson, Americans who have been prisoners of war, the Vietnam Veterans Memorial on the occasion of the 10th anniversary of the Memorial, and the Women in Military Service for America Memorial, and for other purposes;

H.J. Res. 272. Joint resolution designating December 15, 1993, as "National Firefighters Day"; and

H.J. Res. 300. Joint resolution providing for the convening of the Second Session of the One Hundred Third Congress.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following titles:

H. Con. Res. 190. Concurrent resolution providing for the sine die adjournment of the First Session of the One Hundred Third Congress.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1732) entitled "An act to extend arbitration under the provisions of chapter 44 of title 28, United States Code, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1769) entitled "An act to make a technical amendment, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 1944) entitled "An act to provide for additional development at War in the Pacific National Historical Park, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1025) "An act to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2202) "An act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
November 24, 1993.

Hon. THOMAS S. FOLEY,
The Speaker,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Wednesday, November 24, 1993, at 10:00 a.m. and said to contain a message from the President whereby he transmits the first report of the Caribbean Basin Initiative.

With great respect, I am

Sincerely,

DONNALD K. ANDERSON,
Clerk, House of Representatives.

FIRST REPORT OF THE CARIBBEAN BASIN INITIATIVE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I transmit herewith the first report of the operation of the Caribbean Basin Initiative. This report is prepared pursuant to the requirements of section 214 of the Caribbean Basin Economic Recovery Expansion Act of 1990 (19 U.S.C. 2702(f)).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 24, 1993.*

MESSAGE FROM THE SENATE

The Chair laid before the House the following privileged message from the Senate:

Resolved, That the resolution from the House of Representatives (H. Con. Res. 190) entitled "Concurrent resolution providing for the sine die adjournment of the First Session of the One Hundred Third Congress" do pass with the following amendment:

Page 1 line 3, strike out all after "of" down to and including "23," in line 5 and insert "Friday, November 26, or the legislative day of Tuesday, November 30, or the legislative day of Wednesday, December 1,".

The SPEAKER. Without objection, the Senate amendment is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REPORT OF COMMITTEE OF TWO MEMBERS TO INFORM THE PRESIDENT THAT THE HOUSE HAS COMPLETED ITS BUSINESS OF THE SESSION

Mr. GEPHARDT. Mr. Speaker, your committee appointed to inform the President that the House is ready to adjourn, and to ask him if he has any further communications to make to the House, has performed that duty. The President has directed us to say that he has no further communications to make to the House.

AUTHORIZING THE SPEAKER AND THE MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE CERTAIN APPOINTMENTS NOTWITHSTANDING SINE DIE ADJOURNMENT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the 1st session of the 103d Congress, the Speaker and the minority leader be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GIVING THANKS AND SEASON'S GREETINGS TO STAFF AND OFFICERS OF THE HOUSE

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I take this time to express the profound thanks and appreciation of all of us in leadership on both sides for what the staff and officers of the House have done to get us through this session of Congress as we have. Then, too, since this is an opportune time, I wish both the Speaker and the majority leader a very merry Christmas, and we will look forward to seeing you in the new year.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, I would like to express to the staff a hearty appreciation for all of their good work, and to return the wish of the gentleman from Illinois [Mr. MICHEL] for a happy and merry holiday season.

The SPEAKER. The Chair, of course, reciprocates the kind wishes of both the Republican leader and the majority leader.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2202. An act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 714. An act to provide for the remaining funds needed to assure that the United States fulfills its obligations for the protection of depositors at savings and loan institutions, to improve the management of the Resolution Trust Corporation ("RTC") in order to assure the taxpayers the fairest and most efficient disposition of savings and loan assets, to provide for a comprehensive transition plan to assure an orderly transfer of RTC resources to the Federal Deposit Insurance Corporation, to abolish the RTC, and for other purposes;

S. 717. An act to amend the Egg Research and Consumer Information Act to modify the provisions governing the rate of assessment, to expand the exemption of egg producers from such Act, and for other purposes;

S. 778. An act to amend the Watermelon Research and Promotion Act to expand operation of the Act to the entire United States, to authorize the revocation of the refund provision of the Act, to modify the referendum procedures of the Act, and for other purposes;

S. 1716. An act to amend the Thomas Jefferson Commemoration Commission Act to extend the deadlines for reports; and

S. 1766. An act to amend the Lime Research, Promotion, and Consumer Information Act of 1990 to cover seedless and not seeded limes, to increase the exemption level, to delay the initial referendum date, and to alter the composition of the Lime Board, and for other purposes.

SINE DIE ADJOURNMENT

Mr. GEPHARDT. Mr. Speaker, pursuant to House Concurrent Resolution 190, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of House Concurrent Resolution 190, the Chair declares the 1st session of the 103d Congress adjourned sine die.

Thereupon (at 10 o'clock and 5 minutes a.m.) pursuant to House Concurrent Resolution 190, the House adjourned.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1621: Mr. BAKER of California.

H.R. 963: Mr. MANTON.

H.R. 1621: Mr. FINGERHUT, Mr. BROWN of Ohio, and Mr. KREIDLER.

H.R. 1673: Mr. BROWN of Ohio and Mr. KREIDLER.

H.R. 3259: Ms. FURSE.

H.R. 3328: Mr. HANSEN and Mr. HOEKSTRA.

H.R. 3483: Mr. STEARNS, Mr. FINGERHUT, and Mr. PAXON.

H.R. 3546: Mr. GINGRICH.

H. Con. Res. 152: Mr. FRANK of Massachusetts, Mr. PORTER, Ms. SLAUGHTER, and Mr. LAFALCE.

DISCHARGE PETITIONS

Under clause 3, rule XXVII, the following discharge petitions were filed:

Petition 10, November 21, 1994, by Mr. McCOLLUM on House Resolution 295 has been signed by the following Members: Bill McCollum, Lamar S. Smith, Tillie K. Fowler, Joe Knollenberg, Michael Huffington, Carlos J. Moorhead, Jon Kyl, Bob Stump, Cass Ballenger, Howard Coble, Charles H. Taylor, Porter J. Goss, Thomas W. Ewing, William H. Zeliff, Jr., Joe Barton, Tom DeLay, Doug Bereuter, Jim Lightfoot, Wayne T. Gilchrest, Richard K. Armey, Martin R. Hoke, Terry Everett, Fred Upton, Charles T. Canady, Barbara F. Vucanovich, Steve Gunderson, Jim Kolbe, Jennifer Dunn, Deborah Pryce, Susan Molinari, Bill Paxon, David L. Hobson, Donald A. Manzullo, Ernest J. Istook, Jr., Jim Bunning, Christopher Shays, Peter Blute, Michael Bilirakis, and Don Sundquist.

EXTENSIONS OF REMARKS

H.R. 3650

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 26, 1993

Mr. RICHARDSON. Mr. Speaker, after the Senate passed a 120-day extension of the moratorium on the implementation of the regulations for the Nutritional Labeling and Education Act on November 20, I assumed the House would follow suit and provide additional time to legislate a comprehensive dietary supplements bill. I am sorry to report that my assumption was wrong.

The Hatch-Richardson bill, H.R. 1709/S. 784, has been the subject of over 24 hours of scrutiny and careful examination in the congressional hearings over the past 4 months. The bill introduced on the House floor Monday night, H.R. 3650, the Dietary Supplement Access and Claims Moratorium Act of 1993, has not been the subject of any congressional hearings. Even so, one would assume with so many hours devoted to dietary supplements in congressional hearings this past year, this bill introduced in the last night of the first session would accurately address the concerns of supplement users aired in those hearings. Once again, I am sorry to report that assumption is wrong.

The shortcomings of H.R. 3650 begins with a narrow definition of a dietary supplement. The definition is critical to other sections of the bill. The definition in H.R. 3650 does not provide for the development of future products, thus allowing them no protection against categorization as a drug or food additive. The definition also excludes some products currently on the market.

Section 102(a) of H.R. 3650 prohibits the need for a prescription for dietary supplements on the market now that are not treated as drugs by the Food and Drug Administration [FDA]. However, section 102(a) does not prohibit the FDA from categorizing existing or future products as drugs. For this reason, section 102(a) of H.R. 3650 does not completely dispel concerns about access to dietary supplements.

I am pleased to see the elimination of food additives status in section 102(b) of H.R. 3650. However, the limited definition of a dietary supplement weakens the impact of this elimination.

Furthermore, the attempt to prohibit a dietary supplement from being considered a drug is incomplete because section 201(g)(1) does not protect supplements about which nutritional support claims and health claims are made. Manufacturers should be able to make such claims if those claims are truthful, nonmisleading and supported by the totality of currently available scientific evidence.

Section 102(c) of H.R. 3650 appears to shift to the FDA the burden of proof that a product is unsafe. However, the way the section is written the burden would actually shift back to the manufacturer to product positive evidence of safety if the FDA claims the product is not safe.

Finally, the 6-month extension of the moratorium on the Nutrition Labeling and Education Act regulation is incomplete. This section of the bill leaves the restrictive NLEA health claims proposal for dietary supplements in place. Apart from one approved health claim and one proposed health claim, every dietary supplement with a health claim will not be allowed to remain on the market under this bill. The 6-month moratorium in H.R. 3650 does not in any way direct the FDA to change its highly restrictive view of the standard for dietary supplement health claims.

For all of the reasons stated above, I cannot support H.R. 3650. Now that the moratorium appears set to expire, let's move forward and pass a comprehensive bill that balances the need for consumers to have access to dietary supplements with the need for adequate fraud and safety precautions.

THE HEALTH SECURITY ACT OF 1993

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 26, 1993

Mr. RICHARDSON. Mr. Speaker, for far too long, this Nation has been struggling with very difficult problems facing our health care system. Costs have been increasing at well over twice the rate of inflation each year. The number of people without insurance, particularly young children, is disturbing. Obvious and glaring inefficiencies continue to proliferate, especially in the reporting of health claims.

I commend the President for beginning to tackle these difficult problems in the Health Security Act of 1993. I believe the goals he has laid out for health care reform—security, savings, simplicity, quality, responsibility, and choice—are what we should all strive for in any health care reform. The President's plan represents an excellent framework for achieving those goals and that is why I have joined 99 of my colleagues including all of the House leadership as original cosponsors of the President's plan as introduced in the House, H.R. 3600. However, this does not mean that I endorse all parts of the plan.

To reach perfection in the first legislative draft of a health care reform plan is a tall task. I believe there are potential problems with the President's plan that need to be debated and carefully examined.

The employer's share of the costs of individual and family coverage may be burdensome to business owners in spite of subsidies. It may be difficult to keep wages from falling, particularly among the group of employees hardest hit in the past 20 years—blue-collar workers and small business employees. The value of health benefits will not be as evident to them as salary and other benefits.

The formation of health alliances must be very carefully undertaken. Managed care, let alone managed competition, does not have a strong track record in rural areas or traditionally underserved areas. Maximum flexibility must be provided to rural areas to create their own community-based networks of care.

Community health centers and migrant health centers must be given full support to continue to function independent of the alliance system, if need be, and not be inadvertently punished for serving as a safety net. These health centers have served an incredibly important function for people who have had no other recourse to get health care. They can still serve an important function under any new system. Public health must continue to be one of the top priorities of any new health care delivery system.

The financing of any health care reform plan will be carefully scrutinized because of the large transactions involved. Possibly more than any other aspect of health care reform, we must not lose the confidence of the public on the financing of a health care reform plan. They must be confident that any new revenues or additional spending will truly be devoted to health care reform.

In order to enhance accountability, I believe we should consider separating revenues and spending for health care reform from the other parts of the Federal budget. This will help to keep a check on any unfettered entitlements while also keeping public confidence high.

Certainly, health care reform will be a difficult undertaking. Nevertheless, we must tackle the problems of the system and find solutions before those problems become any more intractable. H.R. 3600 places some potential solutions on the table. Some of those solutions would undoubtedly help our ailing system. Other potential solutions, as I have pointed out, could make our system weaker. More debate and discussion is needed on those parts of the President's plan. After all, attempts to reform our health care system should follow one of the primary rules of medicine: First, do no harm.