

drug manufacturers to get a better deal on prescription drug prices for seniors.

I believe Congress must do something about the high costs of prescription drugs, for Medicare beneficiaries and all Americans. That's why I'm introducing this legislation.

The Fair Balance Prescription Drug Advertisement Act will empower the FDA to determine whether pharmaceutical companies present information about their products in a fair manner, balancing risks and benefits. Any advertisements found to violate this standard would be denied currently allowed tax deductions.

Under this bill, print ads would be required to display pros and cons in equal typeface and space, and on the same or facing pages. If the advertisements ran onto additional pages, those pages would have to be consecutive with the first pages. In television and radio ads, risk and benefit descriptions would be allotted equal airtime and volume level.

Since the FDA relaxed restrictions on television advertising in 1997, DTC advertising has soared. Drug companies' advertising expenditure doubled between 1998 and 2000, and is expected to reach seven billion dollars annually by 2005.

As a consequence of such large-scale advertising, consumers have been led to demand drugs that may not be medically necessary or appropriate for their conditions. According to the National Institute for Health Care Management, 86% of patients who requested a prescription for Clarion from their doctor received one (this drug is now available over-the-counter). Similarly, a 2000 study showed that nearly half of the increased spending on pharmaceuticals was attributable to the fifty most advertised prescription drugs, and also that DTC advertising has increased the prices of prescriptions.

DTC advertising not only drives up the costs of prescriptions, but also increases demand for more expensive drugs in cases when a cheaper alternative will do. The cost of prescription drugs is heavily impacting our country. We all know the problems facing seniors and their ability to afford their medications. States are finding the costs of providing comprehensive drug benefits so expensive that Illinois has announced that they will contract with a Canadian pharmacy to get a better deal for their state employees. Employers are facing similar dilemmas. Given this cost crisis, we need to take every step we can to reduce increasing drug costs. That's why making sure that advertisements aid consumers in making informed decisions, rather than simply increasing demand for the newest drug, makes so much sense.

The Fair Balance Prescription Drug Advertisement Act is endorsed by the California Public Employees' Retirement System, which provides health benefits to more than 1.3 million members. They know far too well the difficulties facing consumers and employers due to increasing drug prices. Their President, Sean Harrigan, says, "Representative STARK's bill is the best medicine for reining in the costs of drugs while ensuring consumers get the real truth about the benefits and the risks of direct-to-consumer advertised drugs."

The new guidelines this bill sets forth will help the pharmaceutical industry educate consumers by enabling them to make informed decisions based on a fair and balanced presentation of risks and benefits. Today's DTC

ads simply don't meet that standard. One advertising executive with significant experience with DTC ads said, "we want to identify the emotions we can tap into to get that customer to take the desired course of action." That's not a decision based on facts.

In a survey of 1,872 people who viewed drug advertisements, 70 percent said they had learned little or nothing more about the conditions the drug is supposed to treat, and over half said they learned little or nothing more about the drug being advertised. Very few ads informed viewers of how successful the treatment is, what alternative treatments are available, how long a patient needs to take the drug, or attempt to correct common misconceptions about the disease the drug treats. Predictably, a strong majority of doctors—75 percent—said that the ads caused patients to think that advertised drugs work better than they do.

Physicians themselves have voiced their frustration with the way DTC ads have harmed their ability to provide the best medical care to their patients. In fact, the American Medical Association has asked the FDA to require pharmaceutical companies to include a disclaimer in all ads stating that physicians may suggest other alternative, medically appropriate treatments.

The bill I am introducing today is simple. It would eliminate the tax deduction for ads that do not fairly present the risks and benefits of prescription drugs. Only ads that truly and honestly provide balanced information that enables consumers to make informed, educated decisions would continue to qualify for a business tax deduction.

Since the pharmaceutical industry already argues that their ads educate consumers, they should have nothing to fear by this bill. This bill will provide an incentive for advertising to provide education rather than blatant promotional material that spurs patients to demand drugs that may be medically inappropriate for their condition and drive up costs. This is a bill we should be able to support on a broad bipartisan basis. We should pass it immediately and take a concrete step to reduce prescription drug price increases for America's consumers now. The American public is sick of rhetoric on prescription drug price. They want action. Join me in support of the Fair Balance Prescription Drug Advertisement Act.

SURFACE TRANSPORTATION EXTENSION ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 23, 2003

Mr. DINGELL. Mr. Speaker, I rise today to call upon the President and House Leadership to work with Chairman YOUNG and Ranking Member OBERSTAR to craft a comprehensive transportation bill that addresses the needs of our nation. While I will vote for the short-term extension for our transportation program, I do so reluctantly.

We have had months to prepare a good bill that does right for the nation. I believe my dear friends, Chairman YOUNG and Ranking Member OBERSTAR are headed in the right direction, but, unfortunately, a select few have

held up any attempt at crafting a good bill, bringing us to this impasse.

Mr. Speaker, I also want to reiterate my support for Chairman YOUNG's and Ranking Member OBERSTAR's \$375 billion proposal. In my home state of Michigan, 1 in 5 roads have been rated as being in "poor condition". In Southeast Michigan, Metro Detroit ranks fifth for motorists who pay the most annually in additional vehicle maintenance because of poor road quality. The only way to help alleviate the problems in my state is to ensure that we grow the program so Michigan and all the other donor states receive their fair share of highway dollars. The longer we wait to pass a comprehensive bill the longer it will take to improve our nation's infrastructure.

For some, they will say, DINGELL, it is only six months. But I have been here long enough to know how the cow chews the cabbage, and a delay puts us into an election year. That delay could easily be extended and put our state department's of transportation planning process in serious jeopardy. We cannot continue to operate our government through continuing resolutions. To do so not only puts our infrastructure in jeopardy, but the well being of our nation.

We must craft a comprehensive bill that helps our nation's infrastructure, puts people to work, and gets our economy moving again. Many people understand this, a few do not. It is time the few stop blocking the path to progress, and help kick start our economy with a bill that my Transportation and Infrastructure Chairman and Ranking Member support.

MAY NEWBURGER, AN ICON OF PUBLIC SERVICE

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 23, 2003

Mr. ACKERMAN. Mr. Speaker, I rise today to honor an icon of public service, May W. Newburger, for her exemplary career, dedicated to the people of the Town of North Hempstead, Nassau County and New York State.

May Newburger has had a long and distinguished career, to the great benefit of the people. May spent eight highly productive years, from 1978 to 1986, in the New York State Assembly. She served as Town Councilwoman in North Hempstead from 1991 to 1993, and was the first woman to be elected chief executive of a Nassau County town. Now in her fifth term, she has served as Town Supervisor of North Hempstead since 1993.

As Town Supervisor, May Newburger has been the driving force behind long-term strategic financial planning in North Hempstead, most notably through the Debt Management and Capital Plans. She has already transformed a \$7-million budget deficit into a surplus of \$7.7 million, and through her leadership and foresight, she will have reduced the Town's debt by \$107 million over the next ten years. This planning has helped move the Town from the lowest bond rating in its history to its highest ever.

Mr. Speaker, under May Newburger's dynamic leadership, North Hempstead was named "Town of the Year 1999" by the Long Island Development Corporation, and received