patient has received prescriptions in other states. Additionally, this bill has the potential to significantly cut down on prescription drug abuse and to help physicians prescribe addictive medications to patients who really need them without fear that the patient will abuse the drug.

Since my home state of Illinois instituted the Illinois Triplicate Prescription Control Program in 1961, the program has been successful in combating prescription drug abuse back home. Now it is time to build on that success by creating a federal network so that state programs can be coordinated nationally.

Mr. Speaker, this is an opportunity for this Congress to recognize that the abuse of prescription drugs is a serious problem in this country. The National All Schedules Prescription Electronic Reporting Act of 2003 is a large part of the solution.

PANCREATIC ISLET CELL TRANSPLANTATION ACT OF 2004

SPEECH OF

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 2004

Mr. EMANUEL. Mr. Speaker, I rise in strong support of H.R. 3858, the Pancreatic Islet Cell Transplantation Act. As a cosponsor of H.R. 3858, I recognize that this bill will aid the medical community as it learns more about the potential of islet cell transplantation. More importantly, it will help increase the supply of pancreata that can be used for islet transplantation, while also better coordinating the efforts of those involved in the process. Innovations in this field can help people suffering from Type I diabetes to live without daily injections of insulin.

According to the American Diabetes Association, there are 18.2 million diabetics in America, a figure that accounts for 6.3 percent of our population. The Pancreatic Islet Cell Transplantation Act is a strong step forward on the path to significantly improving the quality of life for these Americans.

Individuals with Type I diabetes are dependent on insulin injections because their own immune systems destroy the islet beta cells that create insulin. Islet transplantation involves taking islet cells from a donor pancreas and implanting them into a recipient where the beta cells from the islets begin to make and release insulin. The goal is to eventually be able to infuse enough islets so that diabetics can control their glucose levels without needing painful insulin injections.

By ensuring the certification or recertification of islet transplantations and research under the Public Health Service Act, this bill will aid in further developing this medical breakthrough. This bill will break down barriers that now stand in the way of this treatment. Also, by mandating an annual assessment on pancreatic islet cell transplantation, we can guarantee that this procedure and the Americans who need it are not forgotten.

Mr. Speaker, when a moment is at hand where we can improve the health of the citizens of our great country, it is incumbent upon us to do so. The Pancreatic Islet Cell Transplantation Act of 2004 presents us with precisely one of those moments. I commend the gentleman from Washington for bringing this legislation to the floor, and I urge my colleagues to support it.

EXCESSIVE EXECUTIVE COMPENSATION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. EVERETT. Mr. Speaker, on the two-year anniversary of the Sarbanes-Oxley Act, it is worth noting that this country has seen an increase in consumer and investor confidence, and a significant market recovery. Corporate scandals and plunging stock prices forced Congress to pass the most sweeping regulation of corporate activity since the 1930s, when the SEC was created.

Many positive developments have resulted from the passage of Sarbanes-Oxley, however more can be done. I fear that we have not seen the last of the corporate abuse exhibited by the Enrons and Worldcoms of the world, especially with regard to the raiding of pension funds.

I am concerned about a growing number of corporate executives in America who are less than fully accountable to their shareholders or employees. Some continue to demand and receive outrageous salaries and perks while their companies flounder. In some cases, these executives face civil and criminal investigations for fraud and corruption.

The current environment under which Corporate America pays its executives allows for minimal, if any, input by the shareholders. Oftentimes their will is often suppressed, as was the case with Alcoa Inc. in 2003 when the board of directors rejected a proposal approved by the majority of shareholders that urged the board of directors to seek shareholder approval for future severance agreements with senior executives. Boards of directors continue to reward their executives with outrageous retirement packages regardless of the company's performance. Not only is the discrepancy between pay and performance a problem, but the fact that the disclosure to shareholders comes months after the payments is also troubling.

One of the most disturbing facts of these misguided or criminal actions by corporate leaders is that their employees see their hard-earned profit sharing plans disappear. Yet, these corporate 'rock stars' ride off with their guaranteed benefits package intact, while the workers and shareholders take it on the chin. Their investments and savings, tied to corporate growth and built up over the years, have vanished. Plans of retirement are halted, either permanently or indefinitely; and many workers find themselves forced to work in their golden years.

Today, I have introduced legislation to require an advance disclosure to a company's shareholders upon the creation or increase in special retirement plans for executives. This could bring desperately needed transparency to the boardroom. Under current law, benefits payable under these plans are not considered reportable compensation, which is why this disclosure is necessary. This would allow shareholders to be proactive in determining whether or not their CEO deserves the millions he or she is getting paid.

I understand that this is a departure from the typical form of disclosure, however I believe the current environment under which Corporate America operates needs to change. We must improve investor confidence, and advance disclosure of excessive corporate compensation will move us in that direction.

REASSESSING FOOD LAWS

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 8, 2004

Mr. WHITFIELD. Mr. Speaker, I rise today to discuss an important issue facing the next Congress. Since enactment of the Nutrition Labeling and Education Act of 1990, obesity rates in America have soared, including among children.

According to a recent briefing provided by the Institute of Food Technologists, "the most recent data from NHANES (National Health and Nutrition Examination Survey) in 2002, 65 percent of Americans were overweight or obese, 30 percent were obese and 4.9 percent were extremely obese. Over 400,000 individuals die each year due to poor diet and physical inactivity. For the first time in 100 years, children face shorter life spans then their parents, as the obesity rate for children has doubled since 1980. The total estimated direct and indirect costs of obesity in the U.S. exceed $117 billion annually. Less than 1/3 of adults engage in the recommended amounts of physical activity. In fact, more than 25 percent of Americans report no leisure time activity at all."

While evidence suggests that the increase in obesity rates is due primarily to a decline in physical activity rather than an increase in caloric consumption, the problem will not be solved by increased physical activity alone. For the sake of public health, many Americans must modify both their diets and physical activity practices.

We in Congress should examine whether our current food labeling laws are providing for the nutrition information, including claims regarding the health effects and nutritional composition of foods, that consumers need. A realistic appraisal of our food labeling law provides a mixed review:

> The law effectively prohibits false or misleading nutrition information. Uniform food labeling laws facilitate consumer education and the efficient flow of commerce.
>
> The Nutrition Labeling and Education Act (NLEA) and its implementing regulations took a prescriptive approach that emphasized fat, which effectively de-emphasized the very important consideration of total calories in a food. Though well intentioned, this approach may have exacerbated dietary problems.

The highly prescriptive approach of the NLEA, combined with the Food and Drug Administration's (FDA) cumbersome approval process, have resulted in the agency often standing in the way of providing truthful, nonmisleading information to consumers. FDA has lost every major First Amendment case regarding implementation of the NLEA. In the landmark decision, *Pearson* v. *Shalala,* 164 F.3d 650 (D.C. Cir. 1999), reh'g, en banc, denied, 172 F.3d 72 (D.C. Cir. 1999), the D.C. Circuit Court of Appeals even characterized