

INFORMING DOD PERSONNEL OF  
EXPERIMENTAL DRUG ADMINIS-  
TRATION

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Mr. KENNEDY of Rhode Island. Mr. Speaker, I have come to the conclusion that trust and confidence in the American Government could very well have reached a low point. No one can dispute that citizen trust is vital to the health and well-being of our country and our way of life. We especially need the trust of the men and women of the U.S. military, those who have served, those who serve today and those who will serve in the future. The men and women in our Armed Forces are willing to risk their lives in defense of our national security interests, therefore we must continually work to ensure the bonds of trust endure in peace and in war time.

Unfortunately, it appears that this trust has been called into question. One need merely read newspaper articles surrounding the Persian Gulf war to see what I mean:

On February 28, the New York Times ran an article entitled: "Pentagon Reveals It Lost Most Logs on Chemical Arms: Missing From Two Sites: Gulf War Veterans Now Raise Questions of Cover-Up or Criminal Incompetence."

Allegations of cover-up and criminal incompetence indicate to me that we have our work cut out for us if we intend to earn back that trust. Just 3 days earlier, a New York Times headline read: "Army Warned Early of Chemical Exposure in Gulf."

The article stated that the CIA gave the Army information more than 5 years ago that some American troops may have been exposed to nerve gas from the destruction of an Iraqi ammunition depot following the Persian Gulf war. The article further stated that these CIA reports discredit the Pentagon's continued assertion that it became aware of the potential exposure only last year.

And in today's Washington Post the headline of the lead article read: "CIA Knew In '84 of Iraq Poison Gas: Agency Official Apologizes To Persian Gulf War GIs."

Unfortunately, what we have here are glaring examples of why some of our troops and veterans may question the veracity of information provided by their own Government. It appears that this situation goes hand in hand with another major cause of mistrust: the unsolved mysteries of gulf war syndrome. Far too many of our troops who deployed to the gulf are suffering from undiagnosed illnesses that neither they nor their doctor can explain.

I commend the President for his efforts aimed at finding answers and restoring this trust. He directed the Presidential Advisory Committee on Gulf War Veterans' Illnesses to investigate and search for a cause of the symptoms experienced by so many gulf war veterans; he convened a White House Panel; and he appointed Bernard D. Rostker, Assistant Secretary of the Navy, to lead the DOD's investigation into possible chemical agent exposure during the war.

More can and must be done, however, to rebuild trust, to avoid repeating past mistakes, and to prevent future health consequences similar to those experienced during and after

the gulf war. Our troops must be assured that when we send them into battle, they will be protected by the best military technology, the best leaders, and the best medicine. Protection also means proper education and training, as well as provision of critical information, including information about investigational new drugs that may be administered to our troops for their protection against chemical and biological threats.

Unfortunately, for our troops, the threat of chemical and biological weapons have become an increasing reality. During Operation Desert Storm, the DOD sought to utilize two investigational vaccines, Pyridostigmine Bromide [PB] and Botulinum Toxoid [BT], to protect troops against chemical weapons. The FDA deemed these drugs investigational because they were not originally approved for the purpose DOD intended to use them. Under FDA regulations, use of such Investigational New Drugs [INDs] required informed consent by recipients, except where not feasible. Concerned with its inability to obtain informed consent during the exigencies of war, the DOD sought an exception from the FDA of its informed consent requirement. In response, the FDA established an interim regulation defining "combat exigency" as one instance where informed consent could be waived. The DOD subsequently applied for the exception and the FDA granted it, subject to certain conditions, including:

1. Each BT vaccine was to be recorded in the individual's permanent immunization record.

2. The DOD had to maintain a roster of all individuals receiving the investigational vaccines.

3. Recipients were to report adverse reactions to the vaccines.

4. Most importantly, the DOD had to provide individuals receiving the vaccines accurate, fair, and balanced information about the vaccines. The information was contained in leaflets produced by the FDA.

Approximately 8,000 troops received the BT vaccine, while at least 250,000 received PB. However, the DOD believes that only 40 percent, and that is on the high end of the scale, only 40 percent of those services members actually received information about the vaccines administered to them. This is unacceptable.

Prior to Desert Storm, it was agreed that PB and BT constituted the best available preventive therapy against chemical agents our troops might face in the Persian Gulf. Even though the use of these investigational drugs could not have been avoided, failure to inform the troops about the drugs could and should have been avoided.

The men and women who served in the Gulf War had a right to know that the vaccines administered to them were investigational.

The same service members had a right to know about the side effects of the investigational drugs.

Let me give you an example of the importance of this information to our troops. PB is known to cause gastrointestinal problems, cramps, and headaches; but these symptoms disappear after the drug is taken for a certain period of time. Some service members stopped taking PB once they experienced these symptoms, making them dangerously susceptible to chemical agents. Had they known about PB's symptoms and that these

symptoms eventually would disappear, they may not have stopped using the drug and would not have put their lives in further jeopardy.

In addition, some of our veterans who did not receive the information about the nature and side effects of the INDs may wonder today what lingering impact the drugs have on their health. With no information, a person has nothing to refute either misinformation or worst case scenarios. All of our military personnel have a right to know about the investigational inoculations they receive from the DOD. Today I rise to introduce legislation to ensure that this gulf war situation is not repeated, to ensure that in the future our troops are informed of investigational drugs, and to help ensure that our service members can and will trust their government.

The legislation will require the DOD to inform service members about the use of experimental drugs. Specifically, the bill requires that the DOD inform individuals prior to, or no later than 30 days after administration.

1. That the drug being administered is investigational;

2. The reasons why the drug is being administered;

3. The potential side effects of the drug, including side effects resulting from interactions of the drug with other drugs or treatments being administered to the individual.

While information about investigational drugs will not prevent possible side effects, the information will ensure our troops know that the Government is not intentionally misleading them or seeking to hide information from them. They will know that we value their service to our country and that we too are doing our best to protect them. Through sharing of this information can we contribute to the process of rebuilding the bonds of trust.

HAPPY 50TH ANNIVERSARY  
WALTER AND MARGARET BARBER

**HON. JAMES A. BARCIA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Mr. BARCIA. Mr. Speaker, the sanctity of marriage is more precious than any other matter in the relations that people have. It is a commitment that seems easy to make on the day of the wedding, and more priceless to hold on to for each and every additional day.

Today marks the 50th wedding anniversary of Walter and Margaret Barber, two of my constituents who I have the pleasure to know personally, and who serve as an inspiration to all of us who treasure the value of devotion. They will celebrate this golden anniversary with friends and family this Saturday in Auburn, MI.

Walter Barber served our country as a member of the Army Air Force in Europe. After returning and working at Dow Chemical, he was fortunate enough to meet Margaret Ida Koch of Bay City. They were married at St. Mark's Evangelical Lutheran Church in Auburn, IN, by Pastor Allen Trout.

Their family grew with the addition of two sons, Dennis and David, and one daughter, Lynn. They now have eight grandchildren.

Their civic involvements hold great importance for Walter and Margaret Barber. He, with the support and understanding of Margaret, had been a longtime member of the

Williams Volunteer Fire Department, an activity that is of great importance to the public, and quite honestly frequent risk to the volunteer and their families. They are charter members of Grace Lutheran Church, and life members of VFW Post 6950 and its auxiliary.

They have lived very full lives, and continue to try to do more each day. It was very touching to have Walter describe for me his great love, appreciation, and gratitude for his wife Margaret, for having put up with and taking care of him for the last 50 years.

If we want to praise family values and their importance for young people, we need look no further than the lives and commitment of Walter and Margaret Barber. Mr. Speaker, I ask you and all of our colleagues to join me in wishing them the happiest of anniversaries, and many more to come.

ST. PETERSBURG FOLK FAIR SOCIETY HONORS JOSEPH MATHEWS OF SEMINOLE, FL

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Mr. YOUNG of Florida. Mr. Speaker, St. Petersburg is home to the St. Petersburg International Folk Fair Society, or SPIFFS as it is known, which is one of the most unique organizations of its kind anywhere in our Nation. The highlight of every year comes in March when SPIFFS hosts its annual folk fair to celebrate the blend of ethnic backgrounds and history that have made the Pinellas County area of Florida I represent such a special and diverse community in which to live.

This was the 22d annual folk fair, and over 55 ethnic groups participated to showcase their culture, ethnic diversity, and foods, as well as provide continuous entertainment from around the world. For the first time this year's festival was held outdoors in St. Petersburg's Vinoy Park.

In conjunction with this year's folk fair, the Central Florida Chapter of the American Immigration Lawyers Association sponsored an essay competition entitled "Why I'm Glad America Is a Nation of Immigrants." The winning essay was submitted by Joseph Mathews, a seventh grader at Seminole Middle School. Joseph was recognized for his essay during the opening ceremonies of the folk fair, and it is an honor for me to bring this young man's thoughts to the attention of my colleagues today.

"WHY I'M GLAD AMERICA IS A NATION OF IMMIGRANTS"

(By Joseph Mathews)

The American dream. It's something we born on U.S. soil take for granted, but to others, it means hope, and a way of life. Many immigrants in American have lived the dream and added to it.

Madeline Albright was brought to the United States by her parents to escape the holocaust. America didn't only mean her future, it also meant freedom, a place of refuge, and a chance to serve as the first woman Secretary of State.

Irving Berlin was another fortunate and successful immigrant. After traveling to the U.S. at the age of 5, Berlin became one of our most famous songwriters. "God Bless America" expresses his feelings about his new home.

Immigrants touch the lives of Americans on a smaller scale as well. My piano teacher, Gloria Bolivar, immigrated to California from Mexico as a teenager, bringing her talent, the knowledge she had gained, and nothing more. She told the Stanford Music Conservatory that she had no money, nowhere to stay, spoke little English, and needed all of her tuition paid. During the audition, Ms. Bolivar had played but a few moments when the professors said, "We want you." She became a top graduate. After several years as a concert artist, she is now teaching in Florida, and has enriched my life by sharing her musical gifts with me.

For hundreds of years, foreigners have travelled in a continuous wave to our country, bringing experience, knowledge, and skills. I am definitely sure it should remain so.

IN TRIBUTE TO MARY LOU McGRATH

**HON. JOSEPH P. KENNEDY II**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Mr. KENNEDY of Massachusetts. Mr. Speaker, I pause today to join the city of Cambridge, MA, in paying tribute to local hero and community leader, Mary Lou McGrath, who is retiring after a long and distinguished career in the field of education and in service to her city, State, and country.

For the past 40 years, Mary Lou McGrath has been instrumental in determining the shape and direction of the public schools in Cambridge. After receiving her Masters of Education from Boston State College, Mary Lou went on to become an educator in and later the first Superintendent of the Cambridge Public School System.

In her years as Superintendent, Mary Lou McGrath has led the way toward the future of education through constant reform and innovation. Collaborating with local colleges and universities, businesses, health organizations, and government agencies, Mary Lou has sought to enhance the experience of education for both student and teacher alike. Her work has included the creation of model programs in the areas of bilingual education, gay/lesbian student education, and special needs education.

One can only begin to describe the depth of Mary Lou's devotion of time and energy to issues concerning the youth of her community. Serving on various boards and committees, Mary Lou has worked to address issues of civil rights, violence, drug use, and other youth-related concerns.

In recognition of her dedication to and efforts on behalf of the welfare of our young people and the ideals of education, Mary Lou McGrath has been presented the Ford educational "Woman of the Year" by the Cambridge YMCA. These are only a few among many honors accorded Mary Lou throughout her career.

Mr. Speaker, the people of Cambridge, MA, owe their gratitude to Mary Lou McGrath. On June 19, they will gather to salute her 40 years of devoted service. I ask my colleagues in the House to join with them and me in extending a simple, "thank you and Godspeed to Mary Lou McGrath. She has made us all proud.

IN MEMORIAM, HELEN BERNSTEIN AND ALBERT SHANKER

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Ms. HARMAN. Mr. Speaker, with the sudden passing of Helen Bernstein last week, public education in Los Angeles suffered a terrible blow, one that will continue to ache for many years to come. Only 52 years old, Helen was struck by an automobile while crossing a street to address the Miracle Mile Residents Association.

Those who were fortunate enough to glimpse the private Helen know that her daughter, mother, and brothers will mourn the premature loss of an unquenchable source of energy and warmth. To them, I offer my deepest sympathies.

Those of us who were familiar with the public Helen—and who were products of the Los Angeles Unified School District—are painfully aware that the voice of its most articulate critic and energetic champion has been silenced forever. The civic life of Los Angeles will be impoverished by that silence.

Helen's experience, intelligence, and wisdom will be especially missed in the months and years immediately ahead: Her beloved school system, the second largest in the Nation, will be negotiating difficult passage through budget restrictions, multicultural complexities, performance standards, and various proposals for reform and restructuring.

Only 5 months ago, Helen became Mayor Richard Riordan's first education advisor. Previously, she had taught history in three different public schools and served as president of United Teachers-Los Angeles from 1990 to 1996. At the time of her death, Helen was running for election to the commission that will rewrite the Los Angeles City Charter. She was also developing a national teacher union reform network.

Helen's passing, coupled with that of Albert Shanker, president of the American Federation of Teachers, will be a disorienting effect on the movement to revitalize public education in America. Congress, the President, State departments of education, and local school districts across the country are now placing a high priority on educational reform; but all of us feel an urgent need for the patient counsel of battle-tested veterans—in short, for the wisdom of a Helen Bernstein and an Albert Shanker. Only members of their immediate families will miss their presence more than public officials grappling with complexities of again creating a matchless system of public education.

THE COLLEGE STUDENT TAX RELIEF ACT OF 1997

**HON. JOE KNOLLENBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 10, 1997*

Mr. KNOLLENBERG. Mr. Speaker, in recent years the price tag on a college education has gone through the roof. Last year, the General Accounting Office reported that between 1980-95, tuition at 4-year public colleges and