

# NHF Lobbyist's Report

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## A NEW HEALTH-FREEDOM ERA BEGINS

When it comes to Congress and the political environment, one tries to be circumspect in making predictions for the coming two years. For, as we well know, the citizens of the United States are only safe from government tyranny when Congress is not in session. The early start this year to the less-government, less-spending, and lower-taxes crowd's political efforts does at least bode well for a new and distinctively different time for liberty and freedom from Federally mandated tyranny. How long it will last is anyone's guess. One thing is certain, in my view, the third-world dictatorship, rubber-stamp legislative bodies kneeling down before Mr. Obama and the Pelosi wing of the Democratic Party is on hold, and hopefully in deep freeze, in the years to come.

### Reform and Repeal

The House of Representatives passed H.R.2, Repealing the Job-Killing Health Care Law Act, officially known as the Patient Protection and Affordable Care Act, or Obamacare, by a vote of 245 to 189. Three Democrats voted to repeal the new health-care law. On February 2nd, during Senate consideration of the FAA Reauthorization bill, S.223, Senate Minority Leader, Mitch McConnell, offered a motion to repeal the health-care law, which was voted down, on a procedural vote to waive the Senate budget rules to allow a Senate vote. The vote to allow a repeal failed along party lines with 47 Republican Senators voting for and 51 Democratic Senators voting against. This procedural vote allowed Senate Democrats up for re-election in 2012 to vote against repealing Obamacare, without having to cast a clean vote to repeal, as was the case in the House of Representatives. This will not be the end of Senate legislative efforts to repeal the health-care reform law.

The reform part of the "repeal and reform" message from last Fall's election follows closely behind the repeal portion. Three reform bills have already been introduced in the House. One, H.R.105, has been introduced by health-freedom Congressional advocate, Dan Burton (R-IN). Another, H.R.21, sponsored by Scott Garrett (R-NJ), the Reclaiming Individual Liberty Act, has already garnered 63 cosponsors. The Garrett bill proposes repealing the individual health-insurance purchase requirement in last year's Obamacare law. There will be more legislative efforts to advance health freedom as well as to end Federal control over our lives and our economic system in the coming weeks. These are likely to include real medical-malpractice tort reform, the repeal of specific taxes in the Patient Protection and Affordable Care Act, and repeal or the defunding of one of the worst, but-little-talked-about excesses of the Federal government control over health care, the Medical Cost Effectiveness Council. Bills on these hot topics

have not yet materialized but the word on the street on the House side of Congress is that they are in the works. In the words of the Sir Arthur Conan Doyle character Sherlock Holmes, "the game is afoot." with dismantling the Obama, Pelosi, and Reid Federal government takeover of the health-care system.

### Bisphenol A Food Packaging

Another issue on the NHF agenda is banning the use of bisphenol A in food containers. Bisphenol A is a major food contaminant that acts as an endocrine disruptor. It is once again back in the Congressional legislative mix. H.R.432, sponsored by Congressman Ed Markey (D-MA), has three cosponsors to date. Likewise, S.126, sponsored by Senator Dianne Feinstein (D-CA) and cosponsored by Senators Franken (D-MN), Kerry (D-MA), Sanders (I-VT), and Schumer (D-NY), has been introduced and referred to the Senate Health Education, Labor, and Pensions (HELP) committee. Last year, the Can Manufacturers Institute, American Chemistry Council, North American Metal Packaging Alliance, and the Grocery Manufacturers Association were successful in preventing Senator Feinstein from adding the ban to the Food Safety legislation, S.510.

Bisphenol A has long been considered by many to be a poisonous or deleterious substance, the use of which in hardening plastics renders the contents of food and beverage containers injurious to human health. Yet, the NHF has little confidence in the Food and Drug Administration (FDA) to do anything right, now or ever, when it comes to passing on the safety of any food or packaging material. Unfortunately, while agencies such as the FDA have dithered, BPA has become ubiquitously present as a contaminant in human and animal fat tissues throughout the World as fertility rates have dropped precipitously. So, even though the FDA has concluded that BPA's use at current levels does not pose a threat, the FDA does not have much credibility with members of Congress. For once, this is a belief shared by both members of Congress and the NHF alike.

### The WTO

The withdrawal of the United States from participation in the World Trade Organization (WTO) and in the North American Free Trade Agreement (NAFTA) is a biannual issue with Representatives Ron Paul (R-TX) and Mike McIntyre (R-NC). This is done through privileged resolution that must be voted on within a set time limit.

A WTO resolution has yet to be introduced, but Congressman McIntyre has introduced H.R.29 to withdraw

Congress' approval of the NAFTA agreement. The bill directs Mr. Obama to provide written notice of withdrawal to the governments of Canada and Mexico. With continued U.S. participation in the WTO, our country is transferring at a practical level, significant government authority to an unaccountable, international organization run by unelected international bureaucrats. Stated a bit differently, the WTO is similar to Codex, but on steroids, when it comes to globalist control of our country. Twice, once in the 1940s and once in the 1950s, the U.S. Congress rejected participation in a WTO-type body. In reality, the WTO is the third leg of the globalists' plan for a one-world, centrally managed, economic system. Not surprisingly, this time around, the Obama administration is already on the record in opposition to withdrawing from the NAFTA and WTO treaties. The Administration is seeking to conclude the ten-year-old WTO's Doha Round of multilateral trade negotiations, which, if completed, will require congressional approval. The NHF will be closely tracking developments on both of these.

### Other Legislation

Another NHF agenda "watch" item for the 112th Congress is the possible reintroduction of S.3002, the so-called "Dietary Supplement Safety Act of 2010, by anti-health-freedom legislators. This could also be referred to as the "Son of McCain" DSHEA repeal bill that the NHF worked to defeat in the last Congress. To date, a new bill has not materialized. With Senator McCain's reelection, his legislative horizon for making new attempts to redefine and treat steroids as dietary supplements within the FDA's jurisdiction could be extended. The NHF and the health freedom community should not fall asleep on this matter.

Perhaps the most significant pre-legislative introduction development involves Congressional spending levels for the rest of this fiscal year, the Continuing Resolution, and spending levels for FY 2012, and the impact on the Food and Drug Administration (FDA) and the newly enacted, misnamed Food "Safety" law from 2010. As of the date of this article, the House has already passed a resolution, but not a bill, stating the intent of the House to reduce Federal spending and the Federal budget to the pre-stimulus, pre-bailout levels of 2008. Process-wise, a budget will have to pass the House and be approved by the Senate. Following this, the budget includes what is called "cross-walk" numbers that go to the twelve House Appropriations Committee subcommittees. These figures set the maximum amount of spending a subcommittee can authorize for the departments and programs under its jurisdiction. For the FDA, this is the U.S. Department of Agriculture (USDA) and FDA subcommittee.


The full House Appropriations committee has already approved a 9% reduction in the budget numbers that get transferred to its subcommittees. So, the USDA and FDA subcommittee is already looking at this amount at a reduction from the FY 2010 spending levels for both Agencies and their programs. The new Chairman of the House USDA and FDA subcommittee, Jack Kingston (R-GA), is already on public record as indicating that the spending authorized in the newly enacted Food "Safety" law will not be able to be accomplished without spending reductions elsewhere in the FDA's authorized spending level.

In the December lame-duck Congressional session of 2010, in several NHF reports to the health-freedom community about the passage of the Food "Safety" law, we predicted this possibility and strategy to gut the law. The NHF lobbyist has already contacted Kingston's staff to communicate our support for not fully funding the Food Safety law. As a practical matter, the new law authorizes \$1.5 billion in new monies on top of the trillions of dollars in Federal debt we already have. Again, in the words of Sherlock Holmes, we would definitely say that "the game is afoot" for dismantling the Food "Safety" law.

For the NHF lobbying effort in the 112th session of Congress, this is the beginning – not the end – of our efforts to rein in the out-of-control FDA. The new political-legislative environment, especially in the House, provides an abundance of opportunity. Some health-freedom advocates may want to sit back and rest with the demise of the axis-of-evil Democratic leadership, but the NHF will not be in this crowd. We will continue to oppose legislation and regulations detrimental to long-held, health-freedom beliefs and convictions; but at the same time, the new Congressional environment will present proactive opportunities to advance our health-freedom agenda and rein in an arrogant FDA on the regulatory front.

In any and all of the NHF's efforts, as always, NHF members and other respectable health-freedom groups and individuals in the community will have to continue to play an important activist role in making things happen in the Congressional legislative arena.

The National Health Federation is a consumer-education, health-freedom organization working to protect individuals' rights to choose to consume healthy food, take supplements, and use alternative therapies without unnecessary government restrictions. The NHF is the only such organization with recognized observer-delegate status at Codex meetings. NHF



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### ESTONIAN HEALTH BOARD SUSPENDS USE OF PANDEMRIX VACCINE

The Estonian State Agency of Medicines announced in early February that it has suspended the use of the H1N1 flu vaccine Pandemrix, now believed to be related to cases of narcolepsy across Europe. According to the Agency's website, researchers now consider it probable that the use of Pandemrix combined with some as-yet-unidentified factors caused the heightened incidence of narcolepsy in Finland.

In Estonia, the use of the Pandemrix vaccine has been less widespread than in other European countries; but, still, more than 10,000 Estonians have been vaccinated with Pandemrix. Maia Uusküla, the drug safety director of the State Agency of Medicines, claims there have been few reports of serious side effects and the two most-serious cases were allergy-related.