

The legislation would increase the potential criminal penalties for a "knowing and willful" violation of consumer product safety laws from a misdemeanor (up to one year in prison) to a felony (up to three years in prison). It would also increase the maximum monetary criminal penalty in accordance with existing criminal laws. These heightened penalties are commensurate with the seriousness of product safety violations, which can result in death or serious injury to children and families. Other agencies have authority to seek substantial (felony) criminal penalties for knowing and willful violations of safety requirements, including the Food and Drug Administration for prescription drug marketing violations and the Department of Transportation for the transportation of hazardous materials.

The legislation would also eliminate the requirement that the Commission give notice of noncompliance before seeking a criminal penalty for a violation of the Consumer Product Safety Act. The notice requirement makes it all but impossible to pursue a criminal penalty for violations of the Act, even in the most serious cases. The threat of a criminal felony prosecution would create an additional strong incentive for companies to report product defects to the Commission.

Give CPSC the authority to overrule the remedy chosen by a manufacturer for fixing a defective product in a product recall when the Commission determines that an alternative would be in the public interest.

Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. The company can choose repair, replacement, or refund "less a reasonable allowance for use."

The legislation would continue to permit the company to select the remedy in a product recall. However, the legislation would allow the Commission to determine (after an opportunity for a hearing) that the remedy selected by the company is not in the public interest. The Commission may then order the company to carry out an alternative program that is in the public interest.

Sometimes companies choose a remedy in a recall that does not further public safety. For example, if a manufacturer chooses to refund "less a reasonable allowance for use" the purchase price of a product that has been on the market for a long time, the amount due consumers may be so small that there is no incentive for the consumer to take advantage of the recall. This is especially true where the hazardous product is still useful to the consumer and the cost of replacement is substantial. Companies may choose an insubstantial refund even though people have been at risk for a number of years, thousands of products are still in use, and injuries are continuing to occur. In this example, a refund would do little, if anything, to stop consumers from using the dangerous product and the public interest would not be served.

HONORING THE LATE ERNESTO
ANTONIO PUENTE, JR.

HON. CARLOS A. ROMERO-BARCELO

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday June 6, 2000

Mr. ROMERO-BARCELO. Mr. Speaker, on this occasion I express our sadness over the

death of Ernesto Antonio Puente, Jr., June 2, 2000, the man everyone around the world knew as Tito Puente, the King of Mambo. His achievements in pursuit of a higher musical ground and his legendary flamboyant style have left an indelible mark on our nation's musical heritage.

To his fellow Puerto Rican-Americans, Tito Puente was more than a legend, more than just the Mambo King. He was a trailblazer in the world of music, fusing Afro-Caribbean rhythms with jazz, mambo, salsa. He created an explosion of inspiration for entire generations of aspiring musicians and for generations of youths who learned by watching that it was possible to make something of yourself if you worked hard.

In commemorating the late "timbalero," Tito Puente, I would also like to honor the countless other Puerto Ricans who have enriched our nation's diverse musical culture and those Puerto Ricans who continue to rise on the world stage.

IN HONOR OF THE 20TH ANNIVERSARY
OF THE MAKE-A-WISH
FOUNDATION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2000

Mr. WOLF. Mr. Speaker, I am proud today to honor the 20th anniversary of the Make-A-Wish Foundation, a non-profit organization that fulfills the wishes of children fighting life-threatening illnesses.

In 1980, a 7-year-old boy named Chris, from Arizona, who was fighting leukemia wished to be a police officer. Friends of Chris's family worked to fulfill his wish and in April that year, Chris spent a day learning about being a police officer and was even sworn in as the first-ever and only Honorary State Trooper in Arizona history.

Shortly after Chris's wish, the Make-A-Wish Foundation was created to help bring happiness to more children. From this humble start, the Make-A-Wish Foundation has grown and now has 80 chapters in the United States and 20 international affiliates. More than 80,000 children fighting life-threatening illnesses worldwide have had their wishes fulfilled. Popular wishes include visiting Walt Disney theme parks, getting home computer systems, taking family vacations, and meeting celebrities.

Two months ago, one of my constituents had his wish fulfilled by Make-A-Wish Foundation of the Mid-Atlantic, Inc. Last year, 7-year-old Ryan Davidson of Ashburn, VA, was diagnosed with a life-threatening illness. It was devastating to him and his family.

When the Make-A-Wish Foundation asked Ryan what his greatest wish was, it didn't surprise anyone that he wanted to meet NASCAR driver Bobby Labonte. Ryan learned about auto racing while playing video games and became an instant fan. Of all the drivers, Labonte is his favorite. On April 26, Ryan, his father Kirby, his mother Amy and his sister Mallory traveled to California where they visited a NASCAR racetrack, watched the action close up and met Labonte. Ryan came home with loads of memories and souvenirs, including his favorite—an autographed collector's edition of Labonte's car. Ryan's wish was a

great success. "This is the best day of my life," he told his parents after meeting Labonte.

The Make-A-Wish Foundation gives children fighting life-threatening illnesses a positive break from a world of doctors, hospitals and medicine. I salute the Make-A-Wish Foundation's volunteers and supporters who work to make wishes come true not only in Virginia's 10th Congressional District, but literally all over the world. I invite those interested in learning more about the Foundation to contact them at 1-800-722-9474 or on the Internet at www.wish.org.

BETTI LIDSKY CELEBRATES 50
YEARS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2000

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Betti Lidsky on her fiftieth birthday celebration.

Betti Lidsky is an exemplary woman who personifies love and self sacrifice. As the mother of three children who suffer from Retinitis Pigmentosa, an eye degenerative disease which may lead to blindness, she battles valiantly everyday to seek ways in which to increase funding for finding a cure and save the eyesight of her children and others like them. A true heroine, she selflessly devotes her time and energy to her family, to the national Foundation Fighting Blindness where she serves as a board member, and to the South Florida community where she is highly admired and respected.

Betti Lidsky is an advocate whose services and kind spirit have touched the lives of many, and on this very special occasion, I ask that my colleagues join me in wishing Betti Lidsky a very happy fiftieth birthday.

OLDER PEOPLE DO NOT NEED
CHAPERONES

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2000

Mr. FRANK of Massachusetts. Mr. Speaker, in the May issue of SeniorScope, the newspaper published by the city of New Bedford dealing with issues of particular importance to older people, editor Rona Zable has an excellent column. Ms. Zable effectively refutes those who would interfere with the rights of older people to make their own decisions, specifically in this case with regard to their choice to gamble if they wish in legal establishments. I have been struck by the degree to which people who usually respect the rights of others to make their own choices make an exception for gambling, and for some reason, people seem often ready to use a caricature of older people as an excuse for this. Indeed, some who believe that we should make a radical change in the Social Security system and have people be dependent on their stock picks for retiring income draw an inexplicable line against letting them go to a casino every so often with some of that retirement income.