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House of Representatives

The House met at 10 a.m.

The Reverend Dr. Richard Lee, First Redeemer Church, Cumming, Georgia, offered the following prayer:

Most gracious God, our heavenly Father and Creator of all, we thank You for America, our homeland, and Your bountiful blessings upon us.

Today we ask that You would grant the Members of this Congress wisdom and understanding to lead our Nation into those paths of truth and righteousness that would please You and serve for our common good.

Forgive us when in times of our blessings we forget that Thou art our source, our defender, and guide. Protect those who even now place themselves in harm's way to preserve the freedom of our land.

Keep us from pride and arrogance and give us a willing spirit to seek out Your laws and commandments and be obedient to them. And grant us Your grace that we might show forth Your power and Your glory to all nations.

These things we pray in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Oregon (Ms. HOOLEY) come forward and lead the House in the Pledge of Allegiance.

Ms. HOOLEY of Oregon led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4167. An act to extend for 8 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 169. An act to require that Federal agencies be accountable for violation of anti-discrimination and whistleblower protection laws; to require that each Federal agency post quarterly on its public Web site, certain statistical data relating to Federal sector equal employment opportunity complaints filed with such agency; and for other purposes.

WELCOMING REVEREND DR. RICHARD LEE

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, I rise to extend a warm welcome to Dr. Richard Lee. It is a privilege to have him with us this morning.

Dr. Lee is the founding pastor of First Redeemer Church located in metropolitan Atlanta's Forsyth County, which is recognized as the fastest growing county in the United States.

Dr. Lee graduated magna cum laude from Mercer University and Luther Rice Seminary, earning the Bachelor of Arts degree in psychology and the Master of Divinity and Doctor of Ministry degrees in theology and pastoral ministry.

Dr. Lee is a recognized spokesman for the Christian community at large. He appears as a speaker at national and international conferences and conven-

tions, on national television programs, and has written 10 books, all of which pales compared to the fact that he was named Father of the Year by the National Father's Day Council of New York City, an achievement all of us would dream of.

Mr. Speaker, it has been said that example is not the main thing in influencing others, it is the only thing. During the past year, a year when every American has experienced the highest of highs and the lowest of lows, Dr. Lee's exemplary leadership has not only been a tremendous service to his congregation; it has been a shining light to the surrounding community as well.

Dr. Lee, you have honored us with your presence this morning and we thank you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. One-minutes will be at the end of legislative business today.

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Ms. HOOLEY of Oregon. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore (Mr. SHIMKUS). The Clerk will report the motion.

The Clerk read as follows:

Ms. HOOLEY of Oregon moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 be instructed to agree to the provisions contained in section 1001 of the Senate amendment and section 944 of the House bill, relating to country of origin labeling requirements for agricultural commodities, but to insist on the six-month implementation deadline contained in the House bill.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from South Dakota (Mr.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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THUNE) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Today with the support of my colleagues, the gentlewoman from California (Mrs. BONO), the gentleman from North Dakota (Mr. POMEROY), and the gentleman from South Dakota (Mr. THUNE), I bring a motion to the floor to instruct conferees to the farm bill regarding country-of-origin labeling.

Our friends on the conference committee have an incredibly difficult job to do, and I know they have been working hard. This is not an easy piece of legislation to agree on. However, one thing they should all be able to agree on is country-of-origin labeling. This is something that farmers want, this is something that consumers want, and this is something that your constituents want.

There are hundreds of local, regional, and national organizations that support country-of-origin labeling. These include the American Farm Bureau, National Farmers Union, United Stockgrowers of America, National Consumers League, Consumer Federation of America, Public Citizen, and hundreds of other organizations.

I have in front of me a potato and an onion. These were purchased at the grocery store last night. Where were they grown? I have not a clue.

Now, I have a hat. I know exactly where this hat is made. This I just wear on my head; this is what I put in my mouth. Which is the most important to know where it is made? I think it is the food you put in your mouth. It is my right to know as a consumer where that food comes from. When I walk into that grocery store to buy food for my family, I want to make sure that it is grown in a place that is safe. What if I want to support American agriculture and buy American? I guess I just have to hope that it was made in the United States or grown in the United States.

Our food is some of the safest produced, and the men and women that produce that food want Americans to know where it came from. Our growers have to comply with strict, exhaustive local, State and Federal regulations governing the use of land, water, labor and chemicals, rules that many of our trading partners do not comply with, such as worker safety, sanitation, environmental protection.

Opponents of this amendment contend that the costs for the industry, including retailers, to comply with country-of-origin labeling requirements are too great and the price of the products and produce will rise as a result. This is simply untrue. We already have a great test case currently in place. The fourth most populous State in the country, Florida, has had the country-of-origin labeling requirements in place for over 20 years. If you take a poll of the people in Florida, they will tell you by 96 percent, they love it.

Thirteen of our biggest trading partners, including Canada, Mexico, Japan, France, and the United Kingdom, require country-of-origin labeling on produce imported into their countries. When the gentlewoman from California (Mrs. BONO) and I brought an amendment to the farm bill on the floor that would require all fresh fruit and vegetables to clearly be marked with its country of origin, this body responded overwhelmingly; 296 Members, almost 300 people, supported our amendment.

All we are doing today is asking our colleagues to honor the wishes of its Members and retain these provisions as written into the House and Senate bills.

Mr. Speaker, I reserve the balance of my time.

Mr. THUNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to credit the gentlewoman from Oregon (Ms. HOOLEY) for her hard work and leadership on this issue; the gentlewoman from California (Mrs. BONO) for the work that she has done in advancing the cause of country-of-origin labeling; the gentleman from North Dakota (Mr. POMEROY), who along with me has introduced H.R. 1121, the Country of Origin Meat Labeling Act; and others in this body who have supported this effort to make sure that consumers in this country know where their food is coming from. This is important legislation.

The bill requires, or the motion would require, suggests to the conferees that any meat or meat product imported into the United States must be labeled to indicate its country of origin. Additionally, any meat product produced in the United States that contains any meat or meat product, the origin of which is not in the United States, must also be labeled to indicate country of origin.

Under this motion, U.S. consumers, if this language is adopted as part of the farm bill, would be assured that the products that they consume pass through one of the most stringent inspection systems in the world. Producers deserve the assurance that their reputation for producing quality meat is not damaged by inferior products. And consumers deserve the assurance that the meat that they buy is of the highest quality.

During the farm bill markup in the Committee on Agriculture, I offered a country-of-origin amendment, labeling amendment, to the farm bill for beef, lamb and pork, as well as perishable commodities and farm-raised fish. It was a long, vigorous, and often contentious 4-hour debate. Yet it is a debate worth having, and it is a fight worth having because the issue is that important to the American people. The more people understand what is involved with this issue, the more convinced they become that this is the right policy for America.

Why is this important? For several reasons. First, consumers have the

right to know the origin of the meat that they buy in the grocery store. Second, ranchers deserve to have their product clearly identified. Third, current law creates a false impression about the origin of USDA grade meat. Fourth, most other consumer products are labeled as to country of origin. Meat should be no different. And, fifth, as the gentlewoman from Oregon already noted, numerous countries already are imposing country-of-origin labeling requirements, including Canada, Mexico, and the European Union. It is only fair to producers in this country and to consumers in this country that we do the same thing.

The farm bill conference is currently deliberating this important issue. Conferees are considering a voluntary labeling requirement or provision in this bill. South Dakota producers find this unacceptable. We should find it unacceptable as well. The only real option is to include mandatory country-of-origin labeling in this farm bill.

I would encourage my colleagues in the House to vote for this motion to instruct. I again want to compliment and thank the gentlewoman from Oregon for her leadership; the gentlewoman from California (Mrs. BONO) for the hard work that she has done in making sure that this issue is front and center as we debate farm policy in this country and as we debate it in the House Committee on Agriculture, the folks who are involved in that; and the gentleman from Montana (Mr. REHBERG), also an active advocate and effective spokesperson on behalf of country-of-origin labeling.

It is important to those Members, to us, as well as to all people across this country and to the producers of this country that we put in place a mandatory country-of-origin labeling requirement so that the people in this country know where their food is coming from and so that producers in this country have an opportunity to have their product clearly identified as the finest and the best in the world.

Mr. Speaker, I reserve the balance of my time.

Ms. HOOLEY of Oregon. Mr. Speaker, again I thank my colleague from South Dakota for his great words about how important this is.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN), one of the States that has had mandatory labeling for the last 20 years.

Mrs. THURMAN. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I certainly thank my colleagues who have brought this motion to instruct to the conference committee.

□ 1015

I am especially appreciative because I can tell my colleagues a story of why this motion is so important and needed.

In 2001, there were some cantaloupes that were found to be contaminated

and word quickly spread, erroneously I might add, that all melons were contaminated, and the market collapsed. I have melon-growers in my district. If we had country-of-origin labeling then, consumers would have known the source of the contaminated melons. They were foreign and not domestic. Our market would not have been disrupted, perfectly good produce would not have been thrown out, and domestic growers would have been protected.

I want to address also the argument that the provision will be costly. Well, as has been mentioned, Florida has had a similar law for more than 20 years. When I walk into the grocery store, there is a sign that is placed to indicate the origin of the produce. It looks like it has been cut out of a piece of construction paper, printed, and put up. The Florida Department of Agriculture has indicated that it costs supermarkets \$5 to \$10 per store a week to comply with that law. It does not seem too costly to me that we could let our folks at home know the origin of our fruits and vegetables.

They might say, well, it could be a trade issue. Well, I do not see it as a trade issue. Thirteen of our 28 largest trading partners have similar laws for fresh produce and stores in those countries find a way to comply; certainly, American stores are just as capable.

Finally, the American people want this information: 78 percent, according to a recent poll, that shows that the House was correct last year when 296 of us voted for country-of-origin labeling.

So I ask my colleagues now to support this motion, as my colleagues did before. Let us make sure that our consumers and our farmers benefit from a motion that helps all of us.

Mr. THUNE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Mrs. BONO), someone who has been a fearless and effective advocate to ensure that we get country-of-origin labeling requirements in this farm bill, and someone who has been an incredible spokesperson on this issue; and, pending that, I ask unanimous consent that the balance of my time be controlled by the gentlewoman from California (Mrs. BONO), and that she be able to yield that time.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mrs. BONO. Mr. Speaker, I thank the gentleman from South Dakota (Mr. THUNE) for yielding me this time.

Mr. Speaker, when the House of Representatives passed the Bono-Hooley amendment on country-of-origin labeling to the farm bill, we took a positive step forward. However, despite the House's resounding approval of this amendment, the farm bill conferees are considering an option to give us country-of-origin labeling on a voluntary basis and then leave the question of whether to mandate labeling up to the

discretion of the Secretary of Agriculture.

Mr. Speaker, this does us no good. We already have a voluntary program. So this offer to institute voluntary labeling does absolutely nothing to address the concerns our constituents have in wanting to know where in the world their produce and beef comes from.

When the last comprehensive labeling act was passed by Congress nearly 70 years ago, there were very few fruit and vegetable imports into the United States. However, with our grocery stores now inundated with foreign-grown produce and beef, I believe it is up to Congress and not to the Secretary of Agriculture, to mandate a consumer's right to know.

We have taken such action on other goods, and now it is the time for us to use our constitutional authority to act on mandatory labeling of fresh produce and beef.

There are those who charge that this program would be too costly for the consumer. In 1979, the State of Florida passed the Produce Labeling Act, which mandates country-of-origin labeling. This highly successful program requires only 2 staff hours per store per week.

Critics are also concerned about this provision leading to a trade war. But according to the GAO, 13 of our Nation's 28 biggest trading partners, including Mexico, the U.K., Japan and Canada, require country-of-origin labeling for fresh produce.

Mr. Speaker, country-of-origin labeling is practiced by our trading partners, it is inexpensive to implement and, in the name of safety and the consumers' right to know, it is much needed.

I urge my colleagues to let the conferees know how important this issue is. Vote in favor of the Hooley motion to instruct conferees.

Mr. Speaker, I yield back the balance of my time.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield myself the remaining time.

This, again, should be a simple matter. We have heard from Florida, where it literally costs a person a penny a week or less. This can be achieved very easily by placing signs near produce bins or with price information in the stores displaying their items in their original shipping cartons. This does not have to be a tough issue. It should be mandatory that we know where the food that we put in our mouth comes from, and I urge the support of this motion to instruct.

Mr. WU. Mr. Speaker, consumers are the only people in the produce marketing chain who don't know where their food is grown. The shippers know where the produce was grown. So do the buyers, the merchandisers, and the clerks. Produce shoppers rarely share in this information because the country-of-origin information is stripped off before it makes it to the display bin case.

For the past 69 years, goods imported into the United States have been required to be labeled with the product's country of origin. Your

clothing, coffee mug, and even the chair you are sitting in have country of origin labels. It's hard to find a consumer produce in this country without one. However, fruits and vegetables are exempt from the labeling law. It's time for Congress to change that exemption.

The cost of administering labeling is, by the retail industry's own accounts, insignificant . . . far less than a penny for each consumer's weekly food bill.

The GAO says that 13 of our Nation's 28 biggest trading partners require country of origin labels for fresh produce. Shouldn't U.S. consumers be entitled to the same information as consumers in these countries?

Growers in the 1st Congressional District of Oregon, like all U.S. growers, must comply with strict, comprehensive local, state and federal regulations governing the use of land, water, labor, and agricultural chemicals. Compliance with these laws and regulations is very costly, but necessary to ensure, among other things, food and worker safety, sanitation and environmental protection. These production standards add safety and value to our products.

With farm prices at record lows, we need to give our producers an edge in the market. Country of origin is one, low cost and effective way to help American consumers to make an informed choice at the supermarket, and benefit American growers at the same time. It's good for consumers and it's good for growers. And it's common sense. Why is it that I know where this tie was made, where this suit made, where my boots are made, but when I walk down the street and buy a head of lettuce, I can't find out where it was grown?

The motion to instruct is not only common sense, it is not only good for American health and sanitation—it goes to the heart of American values—consumer choice and help for the small farmer. I urge its adoption.

Mr. POMEROY. Mr. Speaker, I strongly support the Hooley motion to instruct farm bill conferees to retain language passed in the Senate farm bill that requires country of origin labeling information on meat, fish, fruits, and vegetables. Country of origin labeling is necessary to give U.S. consumers important information and give U.S. producers credit for the considerable investment they have made in the quality and safety of their products.

Consumers support country of origin labeling so that they are able to make informed decisions and choose products based on their origin. Our food system has become more global and consumers are demanding new information on the products they buy. Studies show that over 80 percent consumers support country of origin labeling of their food products. Consumers can pick up any article of clothing, read the label, and know where it was manufactured. However, the head of lettuce or steak they purchase in their grocery store lacks basic information on where it was produced.

Producers support country of origin labeling because it allows them to differentiate their product. American producers have placed a high priority on developing high-quality, safe food. They can benefit from this investment only if consumers are able to differentiate between products of U.S. origin and products from overseas.

I do want to commend the conferees to the farm bill. They are working diligently to arrive at a compromise that we can all support in

order to finish this farm bill quickly. However, we should still send the message to the Farm Bill conferees about consumers' right to know the origin of the food they buy and producers' right to distinguish their product.

I urge my colleagues to support country of origin labeling and this motion to instruct. We must protect the considerable investment that we have made in our high-quality, safe meat supply.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Oregon (Ms. HOOLEY).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. HOOLEY of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct conferees on H.R. 2646.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess for 5 minutes.

Accordingly (at 10 o'clock and 24 minutes a.m.), the House stood in recess for 5 minutes.

□ 1030

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 10 o'clock and 30 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 3763, CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT OF 2002

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 395 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 395

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3763) to protect investors by improving the accuracy and reliability of corporate disclosures made

pursuant to the securities laws, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, the resolution before us today is a fair, structured rule providing for the consideration of H.R. 3763, the Corporate and Accounting Accountability, Responsibility, and Transparency Act of 2002.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. All points of order against consideration of the bill are waived.

The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as the original bill for the purposes of amendment and shall be considered as read. All points of order against the bill, as amended, are also waived.

Only the amendments printed in the report of the Committee on Rules ac-

companying the resolution are made in order. These amendments shall be considered only in the order printed in the report and may be offered only by a Member designated in the report. They shall be considered as read and debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent. They shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against the amendments are also waived.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, I am pleased that today we are going to debate the Corporate and Auditing Accountability, Responsibility, and Transparency Act of 2002, known as CARTA. Two weeks ago, the House considered and passed the Pension Security Act, which focused on providing workers with new options and resources concerning their pensions. Today, we are considering legislation that affects the corporate accountability side of that issue.

Mr. Speaker, currently, more than half of all U.S. households invest in mutual funds, pension funds, or 401(k) plans. The face of the American investor is younger and more diverse than ever today. I firmly believe that encouraging Americans to help secure their own future through savings is vitally important for their own success. While savings must begin with the individual, there are also ways that the government can, must, and will help to encourage people to save.

The positive ripple effects of this bill are far-reaching. Restoring investor confidence in the financial stability of companies doing business in this country leads to more jobs and a stronger economy. Increasing accessibility of timely and accurate investment information helps American workers not only plan for retirement, but also better assures them of a secure retirement. For those of us who are still planning for our children's college educations, we can be assured that greater corporate responsibility will help protect these and other investments that, as American workers, we make.

This legislation focuses on several principles, all designed to protect investors and employees.

First of all, we must restore confidence in accounting. In order to ensure auditor independence, firms would be prohibited from offering controversial consulting services to companies that they are also auditing.

Additionally, under CARTA, a new public regulatory board with strong oversight authority would be established, and under the direction of the Securities and Exchange Commission, they would work together. This bill recognizes that strong and healthy accounting companies that provide investors with accurate information are critical to ensuring the financial