

## EXTENSIONS OF REMARKS

### IMPROVING THE SAFETY OF IMPORTED FOOD

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 10, 2001*

Mr. DINGELL. Mr. Speaker, according to the Secretary of Health and Human Services Tommy Thompson, there is a need to protect food coming into the U.S. from foreign countries against intentional adulteration. I agree. For the last two congresses, most of the Democratic members of the Committee on Energy and Commerce have sponsored legislation aimed at improving the safety of imported food Americans eat. Today, I am reintroducing that bill together with amendments that give higher priority to, and that deal more directly with, concerns about the intentional adulteration of imported food that we, the American public, and the Secretary now share as a result of the recent tragic events in New York City and Washington.

Although the legislation I introduced in the last two congresses has not received so much as a hearing, Congress's failure to act is not because there hasn't been a problem. According to the General Accounting Office (GAO), adulterated food causes 81 million illnesses and as many as 9,100 deaths each year. The important thing to know, however, is that these deaths and illnesses are also avoidable. We have the means to arm the Food and Drug Administration (FDA) with the authority and resources it needs to protect our food supply. There are exciting new technologies that have the potential to make tests for microbial and pesticide or other chemical adulteration easy to perform and affordable.

Unfortunately, FDA does virtually no preventive testing under our current food import program. Food shows up at any one of 307 different ports of entry. An FDA inspector may or may not be present. And, even if an inspector is present, only about one percent of imported fresh fruits and vegetables are inspected and even fewer tested. The tests can take a week or more to yield results. In the meantime, the food is long gone and most likely consumed.

Instead of pre-testing and verifying the safety of imported food before the American public eats it, the FDA waits for people to get sick or die before it tries to determine whether food adulteration is involved. The outrageous and wholly intolerable conclusion one must draw is that Americans are being used as guinea pigs.

There are special problems with imported food that do not exist with food produced in the U.S. FDA lacks authority and resources to "trace back" the source of food borne illness beyond the border. It also does not have access to the points of production, processing, and distribution as it does in the case of U.S. food products. Furthermore, preventive detection is virtually impossible because FDA does not have tests available to detect pathogens on imported food in a timely manner. Finally, FDA cannot even account, in many cases, for

what happens to imported fruits and vegetables that are adulterated and refused admission into the U.S.

GAO has studied this situation and has concluded that the Federal government cannot ensure that imported food is safe. New resources, authorities, and technologies are needed for FDA to assure the American public, with confidence, that imported food has not been intentionally adulterated and is safe.

More food safety inspectors are needed. FDA only has 150 inspectors who are spread thinly at 307 ports where food comes into the United States—less than half the number of inspectors needed to cover all ports on a full-time basis. On the other hand, meat and poultry that the U.S. Department of Agriculture (USDA) must inspect comes into the United States at only 35 ports. Furthermore, USDA gets 80% of the food safety budget even though it has responsibility for only 20% of the food supply, while FDA that has responsibility for 80% of the food supply gets only 20% of the food safety budget.

The Imported Food Safety Act of 2001, which I am introducing today, addresses each of these problems. It gives the Secretary of Health and Human Services authority to limit the number of ports where imported food may come into the U.S. Therefore, if FDA only has enough inspectors to cover 20 ports, instead of the 307 ports it now tries to inspect, the Secretary can require imported food to come through those 20 ports. The bill also authorizes such sums as the Secretary deems necessary to hire enough inspectors and to conduct enough tests so that the American public has confidence that imported food has not been intentionally adulterated.

The legislation also provides additional resources in the form of a modest user fee on imported foods, and a "Manhattan Project" to develop "real time" tests that yield results within 60 minutes to detect E. coli, salmonella, and other microbial contaminants as well as pesticides and other chemical contaminants. Finally, the legislation gives FDA authority like USDA has for meat and poultry, to stop unsafe food at the border and to assure that its ultimate destination is not America's dinner table.

Mr. Speaker, the time for action is now. Thirty-eight percent of all the fruit and 12 percent of all the vegetables Americans eat each year come from foreign countries. Over the last five years, the volume of food imported into the U.S. has almost doubled. FDA has acknowledged that it is "in danger of being overwhelmed by the volume of products reaching U.S. ports."

Let's do the people's business and improve the safety of our food supply. Let's hear from consumers, public health experts, and all others with an interest in the matter. I am confident that none will dare defend the status quo.

### AIR PIRACY REPRISAL AND CAPTURE ACT OF 2001

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 10, 2001*

Mr. PAUL. Mr. Speaker, I rise to introduce the Air Piracy Reprisal and Capture Act of 2001 and the September 11 Marque and Reprisal Act of 2001. The Air Piracy Reprisal and Capture Act of 2001 updates the federal definition of "piracy" to include acts committed in the skies. The September 11 Marque and Reprisal Act of 2001 provides Congressional authorization for the President to issue letters of marque and reprisal to appropriate parties to seize the person and property of Osama bin Laden and any other individual responsible for the terrorist attacks of September 11. Authority to grant letters of marque and reprisal are provided for in the Constitution as a means of allowing Congress to deal with aggressive actions where a formal declaration of war against a foreign power is problematic. Originally intended to deal with piracy, letters of marque and reprisal represent an appropriate response to the piracy of the twentieth century: hijacking terrorism.

All of America stood horrified at the brutal attacks of September 11 and all of us stand united in our determination to exact just retribution on the perpetrators of this evil deed. This is why I supported giving the President broad authority to use military power to respond to these attacks. When Congress authorized the use of force to respond to the attacks of September 11 we recognized these attacks were not merely criminal acts but an "unusual and extraordinary threat to the national security."

Congress must use every means available to fight the terrorists behind this attack if we are to fulfill our constitutional obligations to provide for the common defense of our sovereign nation. Issuance of letters of marque and reprisal are a valuable tool in the struggle to exact just retribution on the perpetrators of the attacks on the World Trade Center and the Pentagon. In fact, they may be among the most effective response available to Congress.

Since the bombing there has been much discussion of how to respond to warlike acts carried out by private parties. The drafters of the Constitution also had to wrestle with the problem of how to respond to sporadic attacks on American soil and citizens organized by groups not formally affiliated with a government. In order to deal with this situation, the Constitution authorized Congress to issue letters of marque and reprisal. In the early days of the Republic, marque and reprisal were usually used against pirates who, while they may have enjoyed the protection and partnership of governments, were not official representatives of a government.

Although modern America does not face the threat of piracy on the high seas, we do face the threat of international terrorism, Terrorism

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

has much in common with the piracy of days gone by. Like the pirates of old, today's terrorists are private groups operating to assault the United States government as well as threaten the lives, liberty and property of United States citizens. The only difference is that while pirates sought financial gains, terrorists seek to advance ideological and political agendas through terroristic violence.

Like the pirates who once terrorized the high seas, terrorists today are also difficult to punish using military means. While bombs and missiles may be sufficient to knock out the military capability and the economic and technological infrastructure of an enemy nation that harbors those who committed the September 11 attacks, traditional military force may not be suitable to destroy the lawless terrorists who are operating in the nations targeted for military force. Instead, those terrorists may simply move to another base before our troops can locate them. It is for these reasons that I believe that, were the drafters of the Constitution with us today, they would counsel in favor of issuing letters of marque and reprisal against the terrorists responsible for this outrageous act.

Specifically, my legislation authorizes the President to issue letters of marque and reprisal to all appropriate parties to capture Osama bin Laden and other members of al Qaeda or any other persons involved in the September 11 terrorist attacks. The President is also authorized to use part of the \$40 billion appropriated by this Congress to respond to the attack, to establish a bounty for the capture of Osama bin Laden. My legislation singles out Osama bin Laden and al Qaeda because the information available to Congress and the American people indicates bin Laden and his organization were responsible for this action. By vesting authority in the President to issue the letters, my legislation ensures that letters of marque and reprisal can be coordinated with the administration's overall strategy to bring the perpetrators of this outrageous act to justice.

Letters of marque and reprisal resolve one of the most vexing problems facing the country: how do we obtain retribution against the perpetrators of the attacks without inflicting massive damage on the Middle East which could drive moderate Arabs into an allegiance with bin Laden and other terrorists. This is because using letters of marque and reprisal shows the people of the region that we are serious when we say our quarrel is not with them but with Osama bin Laden and all others who would dare commit terrorist acts against the United States.

Mr. Speaker, I ask that my colleagues join with me in providing the additional "necessary weapon of war" and to help defend our fellow citizens, our sovereign nation, and our liberty by cosponsoring the September 11 Marque and Reprisal Act of 2001 and the Air Piracy Reprisal and Capture Act of 2001.

#### TRIBUTE TO BEA GADDY

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 10, 2001*

Mr. CARDIN. Mr. Speaker, I rise today to honor the life and works of Bea Gaddy, an ad-

vocate for the poor, councilwoman, and humanitarian who died of breast cancer last Wednesday. Bea Gaddy's devotion to the service of the poor and the disadvantaged has made her a legend in Baltimore and throughout Maryland.

With her exceptional strength of character and determination, she not only transformed her own life but also the lives of those around her. Her childhood was marred by her father's abandonment and her stepfather's alcoholism and abuse. By the time she reached her early twenties, she had already lived through two failed marriages of her own.

Bea Gaddy knew hunger and poverty intimately. In order to feed her five children and others like herself, she began pushing a garbage can on wheels to local grocery stores asking for food. And so, began her life-long mission to feed the hungry and help the poor. She finished her high school education and earned a college degree from Antioch University's Baltimore division. On October 1, 1981, she officially opened her food and clothing distribution center. In 1988, she began homeless shelters for women and children out of rundown houses.

While she provided food, clothing, and shelter for the needy, she also taught them to be independent. With her encouragement, many found jobs and got an education. She taught people how to live better lives. In 1999, she was elected to the Baltimore City Council. As councilwoman, she fought to get decent medical services for the homeless in addition to other services. She brought attention to the plight of the poor.

Baltimore was blessed with Bea Gaddy's charitable works, but her remarkable spirit was recognized around the Nation. She was once named Woman of the Year by Family Circle Magazine, she appeared on CBS Morning News, and in 1992 was named as one of President George Bush's "Thousand Points of Light."

I hope that my colleagues will join me in saluting Bea Gaddy, a rare individual whose life is an example to all of us. Her kindness and strength changed many lives. Bea Gaddy will be sincerely missed.

#### LET PRESIDENT CHEN ATTEND APEC

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 10, 2001*

Mr. GILMAN. Mr. Speaker, this year's Asia Pacific Economic Cooperation (APEC) forum is scheduled to take place later this month in Shanghai, China, and will be attended by President George W. Bush and PRC President Jiang Zeillin. The APEC forum will also be attended by the leaders of the nineteen other members of APEC, and will provide a vital opportunity to discuss the international economic situation and formulate a plan to address the deteriorating world economy and the economic threats we are all now facing. Given the monumental challenge that this entails, it is inconceivable that Taiwan, the leader of the seventh largest trading economy and ninth largest GDP in the APEC group would be excluded from such a gathering, and that indeed full cooperation by all leading economic play-

ers in the region would not be encouraged. Yet, Mr. Speaker, this is precisely the situation that is now upon us as the government of the People's Republic of China is once again exercising narrow political calculations to the detriment of the people of Taiwan, and in fact the rest of the world, by excluding President Chen Shui-bian from this meeting.

It is important to recognize that the APEC forum is an ECONOMIC forum, and that especially during this time of crisis, we cannot afford to allow political differences to threaten the formulation and implementation of a sound economic strategy in response to these threats. Mr. Speaker, Taiwan is a vital trading partner of the United States, it imports significantly more goods from the United States than does the People's Republic of China, and its leadership is committed to the same principles of democracy and freedom that we hold so dear. The exclusion of President Chen from this meeting is a cold reminder that not all governments who express their solidarity with us in facing these many threats are actually committed to realizing the intrinsic hopes of economic freedom and political expression of their people. In fact, Mr. Speaker, such actions should give us great pause when we realize the destruction and mayhem that can result from a policy which abandons our commitment to freedom-loving people, only to secure better relations with an illegitimate regime for short-term economic gain. The United States has a duty and an obligation to stand up for our friends and allies on Taiwan, and to insist that their leader be able to participate and contribute in addressing the global threats we must now face.

The events of September 11th prove that the world of ambiguities and diplomatic niceties no longer exists, and the sooner this realization translates into true representation for all, the sooner we can begin to construct the foundation of an international order based on the rule of law and economic freedom. The very first step in this process, however, must be taken, and the inclusion of President Chen from Taiwan in the APEC meeting would go a long way in demonstrating our commitment to building such an order.

#### TRIBUTE TO REVEREND RONALD J. DINGLE

### HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 10, 2001*

Mr. SHAW. Mr. Speaker, I rise today to honor the Reverend Doctor Ronald J. Dingle for his service to the Boca Raton community. This October, Rev. Dingle will retire after 39 years as Pastor of Advent Lutheran Church in Boca Raton, Florida.

Rev. Dingle has been very involved not only with his pastoral duties, but also in the community as well. His civic and community activities over the years have included: United Campus Ministries at Florida Atlantic University, Presidency of the Boca Raton Association of Churches as well as membership on numerous boards such as Visiting Homemakers, Operation Concern, Birthline, and Boca Raton United Fund. Rev. Dingle is actively leading the Lazarus Project, a Lutheran outreach presence in Haiti. Under his leadership many Advent programs were initiated and continue to flourish.