

Christian Science Monitor. Written by Dr. Werner Fornos, president of the Population Institute, it identifies the relationships between global warming and population growth. With the special session underway at the United Nations to review progress on the Rio Summit, his words and insights are timely and valuable for all Members of Congress.

[From the Christian Science Monitor, June 23, 1997]

GLOBAL WARMING AND POPULATION GROWTH:
INSEPARABLE

(By Werner Fornos)

During President Clinton's weekend conference in Denver with leaders of the "Group of Seven" and his address today before a special session of the United Nations General Assembly, global climate change will be among the primary topics of discussion.

It appears that the issue is heating up these days—and for good reason. As the result of a UN-estimated average global temperature rise of 3.6 degrees Fahrenheit in the next century, the world may experience widespread flooding, the disappearance of small island nations, and rowboat-only access to Bourbon Street, Broadway, and countless other coastal spots. This prognosis will be compounded by a world population that could reach 10 to 12 billion, or higher.

Although the United States, the European Union, and 153 other nations officially recognized the problem of global climate change at the Rio Earth Summit in 1992, the United States remains woefully behind in fulfilling the Bush administration's pledge to cut greenhouse gas emissions to 1990 levels by the year 2000. Public awareness of the pending disaster has lagged behind as well, because of efforts by fuel companies and other corporations who see themselves harmed by emissions limitations.

Global climate change results when increased levels of greenhouse gases in the atmosphere block the escape of infrared, or thermal, radiation. Human activities in recent years have increased the levels of all of these gases, including carbon dioxide, ozone, methane, nitrous oxide, and chlorofluorocarbons. Water vapor is the only exception.

Carbon dioxide is the most troublesome, accounting for 60 percent of the enhanced greenhouse effect. Fuel burning, agriculture, automobile exhaust and other human emissions contribute an estimated 22 billion metric tons of carbon dioxide each year, and have caused an unprecedented 10 percent increase in atmospheric levels of the gas in the last 20 years.

Negligence by the US and the six other industrial nations of the Group of Seven—which account for 38 percent of greenhouse gas production—could lead to an estimated one to three foot increase in sea level and a mid-latitude climate zone shift of approximately 200 miles in the next century.

There is no question that controlling greenhouse gas emissions is a priority for achieving sustainable human development. And, surprisingly this is one key step toward self-preservation that can actually be beneficial to economics. Mr. Clinton has proposed an international strategy of establishing a greenhouse gas emissions quota based on a financial credit system. A similar program to control acid rain has been environmentally successful as well as cost-effective. In addition, incentives could be extended for the research and development of alternative energy sources and more efficient technologies.

The recent attention to global climate change is encouraging, but any energy policy that seeks to halt global warming cannot ig-

nore the fact that the current world population of 5.9 billion people is projected to double in only 40 years—with 98 percent of the increase occurring in the developing world. As nations such as China and India—accounting for over 2.2 billion people—seek to industrialize, what level of havoc will their greenhouse gas emissions wreak on the atmosphere?

We must recognize that global climate change and other abuses of the environment are symptoms of the strain imposed by rapid population growth and a reversal of the warming trend is unlikely unless there is a meaningful reduction in fertility.

The time is now for Clinton and other world leaders to set a course for our planet that looks beyond the present and minimizes the damage humanity has already inflicted.

The residents of numerous small island nations, who face sci-fi horror in the real-life possibility of being reclaimed by the sea, would be the immediate beneficiaries. In the all-too-near future, however, the beneficiaries would include everyone's children and grandchildren.

NIKE'S RESPONSE

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 24, 1997

Ms. FURSE. Mr. Speaker, I would like to place in the CONGRESSIONAL RECORD a report that former Congressman, U.N. Ambassador, and Atlanta Mayor Andrew Young recently wrote on Nike's labor practices. I also am including in the RECORD Nike's response to the Young report.

Earlier this year, Nike asked Ambassador Young to conduct an independent review on the implementation of Nike's code of conduct and provide specific recommendation on what Nike was doing right, and what can be done better.

That report, which was released June 24, lays out some very meaningful recommendations which I believe my colleagues would be interested in reviewing. Nike's response to the Young recommendations demonstrates that this Oregon-based company is truly committed to being a leader on these issues. With my colleague from Oregon, Mr. BLUMENAUER, I commend the Young report on Nike's response, and urge my colleagues to review it.

NIKE'S RESPONSE TO ANDREW YOUNG'S REPORT ON THE NIKE CODE OF CONDUCT

Our NIKE Code of Conduct sets out a basic goal—for NIKE, and for all of our business partners—always to do what is *expected*, as well as required, of a leader.

In this spirit, in February, we decided to seek a separate and independent assessment of the extent to which our contractors are complying with that Code. We turned to one person we thought had three attributes that would make that assessment most valuable.

First, a truly independent voice. Second, a person with experience and understanding of the developing world, where most of the world's apparel and footwear products are made. And third, someone who was not party to the issue—who would bring a fresh perspective to bear.

Andrew Young, former United Nations Ambassador, life-long human rights advocate, with a wealth of experience in labor and factory issues, was an obvious choice.

Today, after four months of investigation, Ambassador Young delivered his report.

His overall assessment is that we are doing a "good job." But good is not the standard NIKE seeks in anything we do.

We are acting now to improve in every area he suggests. His recommendations, and our response, are:

1. Recommendation: "NIKE should continue its efforts to support and implement the provisions of the Apparel Industry Partnership."

Action: NIKE was the first company to join. We will continue to work with our Partnership colleagues from the apparel industry, and related labor, human rights, religious and consumer groups. NIKE is represented on all of its various subcommittees, addressing implementation of the new Code and its monitoring principles. The most recent meeting was held the very day Ambassador Young presented his report to US.

We will carry this message of industry, labor and rights groups cooperation to all of our business partners and others in the industry. We will urge other apparel and retail companies to sign on. In the past two weeks we have already begun to do this with other athletic, dress and casual footwear companies.

2. Recommendation: "NIKE should take more aggressive steps to explain and enforce the Code of Conduct."

Action: As a result of comments made during Ambassador Young's factory inspection tour in March and April, NIKE reinforced implementation of the Code of Conduct and its monitoring principles by conducting eight weeks of training for NIKE production people and contract factory management in Asia, in 11 countries and 15 cities. We will follow up by:

a. Ensuring that contractors provide every employee with renewed Code of Conduct training and a simplified, written form of that Code.

b. Redoubling our efforts to ensure that every NIKE contract factory has the Code posted visibly in every major workspace, in the language of both the worker and the manager, when those language are different.

c. Add to our auditing procedures to assure that the Code of Conduct is understood, that training, posting and personal copies of the Code have the desired impact: that workers truly understand their rights, and manage their obligations.

3. Recommendation: "NIKE should take proactive steps to promote the development of 'worker representatives' in the factories who can effectively represent the workers' individual and cumulative interests."

Action: NIKE contract factory worker representation spans a broad spectrum around the world, from worker management committees to full trade unions. NIKE will survey existing worker representation processes and require each of our contract factories to redouble its efforts to assure that workers truly have a voice in workplace issues.

4. Recommendation: "NIKE should insist that the factories which manufacture its products create and enforce a better grievance system that allows a worker to report a complaint without the fear of retribution and abuse."

Action: NIKE will survey existing grievance procedures in our contract factories and with other industries and factory groups. We will require each of our contract factories to adopt and implement one of several model procedures, as appropriate to its size, current representation system, and the effectiveness of that current system.

An addition, NIKE will create several pilot ombudsman projects to determine how well an outside voice can supplement and enhance the grievance procedure.

5. Recommendation: "NIKE should expand its dialog and relationship with the human

rights community and the labor groups within the countries where they produce goods and with their international counterparts."

Action: NIKE has already begun this process. Starting in major source countries, we are seeking to establish regular sessions with groups who can foster productive dialog on contract labor issues. The Apparel Industry Partnership and a quarterly conference call with concerned investor groups are two of several forums in which we will continue to address these issues with affiliated and interested international parties.

6. Recommendation: "NIKE should consider some type of 'external monitoring' on an ongoing basis as a way to demonstrate its commitment to the Code of Conduct and to insure its effective application."

Action: Specifically, Ambassador Young recommends two steps: (a) establish an ombudsman function, and (b) establish a small panel of distinguished international citizens to provide a continuing oversight role similar to that undertaken by the Ambassador. We're already doing the first, as noted above. We're working now to appoint an international oversight panel to fulfill the second.

Because NIKE is a leader, we have decided to take further steps beyond Ambassador Young's recommendations, but speaking to issues he raised.

1. NIKE will strengthen the penalty system for contract factories found in violation of the NIKE Code of Conduct. This includes escalating monetary penalties, whose proceeds will fund: (a) remedial action to correct the violation or (b) investment in worker education, recreation or habitability enhancement programs.

2. We are determined that the 500,000 jobs created by NIKE's contract relationships around the world continue to be the best jobs in the business, if any contractor consistently fails to adhere to our Code of Conduct, we will terminate their relationship with NIKE.

3. With our partner factories, NIKE will establish an ongoing training system for managers and supervisors that includes (a) basic people management skills; (b) education in local culture for expatriate managers and (c) learning the local language.

4. Ambassador Young has identified the need for a higher level of host country management in factories owned and operated by foreign investors. NIKE will assess current levels of indigenous management, and establish action plans with each contractor to assure that local management is integrated at the highest levels.

5. NIKE will continue to test pilot projects to measure the effectiveness of independent monitoring by third parties. To date two such projects have been undertaken in two countries. A third is underway.

NIKE will implement each of the actions noted above by January 31, 1998, and then reassess further steps or the enhancement of those already taken.

In addition, NIKE will continue to implement a comprehensive factory inspection program, called SHAPE (Safety, Health, Attitude of Management, People Investment, Environment) in all contract factories worldwide. Our aim is to ensure that every aspect of the factory work experience meets NIKE standards, from fire drills and sanitation to worker training and recreation programs.

Since 1994 NIKE has had independent auditors test factory compliance with our Code of Conduct. We are encouraged that Ambassador Young has found these audits to be "professionally done, (and) rigorous." We will redouble our efforts to assure they are an effective tool. By August 1, 1997 NIKE will have in place a single, unified set of instruc-

tions to make sure that every independent audit, anywhere in the world, by any auditor, is done to the same standard.

NIKE management appreciates not only the independence and objectivity that Ambassador Young has brought to these issues, but the many other voices in government, the human rights, labor, religious, consumer and business communities, that have also contributed valuable insight.

Ambassador Young has demonstrated—on assignment for NIKE, but also over 40 years of public and private service in human rights arenas—that these issues are always best served by reasoned, honest and respectful discussion. We are committed to that course.

THE CRACK COCAINE EQUITABLE SENTENCING ACT OF 1997

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 24, 1997

Mr. RANGEL. Mr. Speaker, I rise in support of the Crack Cocaine Equitable Sentencing Act of 1997. The bill, if enacted, would remove the arbitrary and unfair distinction between powder and crack cocaine sentencing. As predicted, earlier this month, the U.S. Sentencing Commission again concluded that Federal drug laws that treat crack cocaine defendants 100 times more severely than powder cocaine defendants cannot be justified. I am proud to be joined in sponsorship of this important bill by a majority of the Congressional Black Caucus.

In 1995, the U.S. Sentencing Commission released a study of Federal sentencing policy as it relates to possession and distribution of all forms of cocaine. Specifically directed by the Omnibus Violent Crime Control and Law Enforcement Act of 1994, the Sentencing Commission reported on the current structure of differing penalties for powder cocaine and crack cocaine offenses and to provide recommendations for modification of these differences. Again, following a congressional mandated study, the Sentencing Commission has restated their stance against the current 100 to 1 ratio. This time, the Commission voted unanimously to lower the sentencing disparity and asked Congress and President Clinton to address the issue within 60 days. Your support of the Crack Cocaine Equitable Sentencing Act of 1997 as an original cosponsor will facilitate timely consideration of the Commission's request.

Included in the mandatory minimum penalties enacted by Congress in 1986 and 1988 was an arbitrary distinction between crack and powder cocaine that singled out crack cocaine for much harsher treatment. The laws had the effect of creating a 100 to 1 quantity ratio for triggering equal treatment for the two pharmacologically identical drugs. For example, under current law, if a person, tried in Federal court, is found in possession of 5 grams of crack cocaine, he would be subject to a mandatory 5-year penalty. If that same person is found with 5, 50, or 400 grams of powder cocaine, he would face a maximum penalty of 1 year in prison. It would take 500 grams of powder cocaine to bring the same punishment for possessing 5 grams of crack cocaine.

One of the effects of this legislation is to punish small-scale crack cocaine users and dealers more severely than we punish their

wholesale suppliers. Continuing this unfair treatment threatens to undermine the authority of the 14th amendment to the Constitution that guarantees equal protection under the law from disproportionate punishment. In addition, current policy threatens the 14th amendment's equal protection guarantees for those who live in areas where crack cocaine is more readily available and cheaper than powder cocaine, namely African-Americans and Latinos. These positions are outlined in the accompanying Letter to the Editor from a May 13, 1997, letter to the Wall Street Journal.

The Crack Cocaine Equitable Sentencing Act of 1997, brings back a sense of fairness to the Federal sentencing process. I challenge this Congress to adopt this legislation to promote that ideal.

LETTER TO THE EDITOR FROM THE HONORABLE
CHARLES B. RANGEL

I write regarding Mr. Wayne J. Rocques' opinion-editorial that appeared in yesterday's Wall Street Journal. In the article, Mr. Rocques' condemns Reverend Jesse Jackson and me for our views regarding the mandatory Federal Crack Cocaine sentencing law, which we regard as unjust due to its disproportionate application to African American defendants, who represent almost 90% of the defendants in these cases. Current law mandates that persons convicted of possessing 5 grams of crack cocaine receive the same sentence (five years) as persons convicted of possessing 500 grams of powder cocaine. Since enactment of this law, the 100-1 quantity ratio has had a devastating and disproportionate impact on the African American community. The evidence is indisputable.

First, almost 97% of all crack cocaine defendants are Black or Latino despite the fact that these groups represent less than 50% of all crack users and less than 25% of the general population. In Los Angeles, from 1988 to 1991 the U.S. Attorney's Office prosecuted no white suspects on Federal crack cocaine charges while hundreds of white suspects moved through the state court system. In 1992, this two track system was repeated in 17 states.

Second, although Mr. Rocques notes the difficulty of attacking the wholesale marketing of crack cocaine, he neglects to explain the reasoning behind this statement. Crack cocaine and powder cocaine are virtually identical from a pharmacological standpoint, and crack is derived directly from powder cocaine. Consequently, wholesale powder cocaine dealers also serve as wholesale crack cocaine dealers. The consensus among drug control advocates, including Mr. Rocques, is that this is the group that must be targeted for severe sentencing. Meanwhile, small time street-level crack dealers, who often produce the crack themselves can fill our jails and face kingpin sentences with possession of as little as \$50 worth of crack.

Third, to answer Mr. Rocques' question regarding why advocates for fair sentencing would concern ourselves with drug criminals, I would remind him that the Fourteenth Amendment of the Constitution requires equal treatment under the law. This sentencing disparity breaks that promise and undermines the foundation of fairness that our country is built upon.

Finally, though Mr. Rocques would have your readers believe that only Rev. Jackson and I have spoken out regarding polarizing effects of the Crack Cocaine Sentencing Law, in truth, we have been joined by others in-