

Rocky Flats in Colorado, chemical weapons, toxic waste.

One of the most powerful ways to protect the environment and make community livable is for the Federal Government to lead by example, whether it is maybe requiring a post office to obey local land use laws and zoning codes and planning regulations, or have the GSA lead by example, being an exemplary landlord in our communities around the country, or maybe having the Federal Flood Insurance program reformed so it does not subsidize people living in places where God has repeatedly shown that he does not want them.

But the biggest, richest, and most visible opportunity to lead by example is to be found in the Department of Defense, whether, as I mentioned on this floor before, dealing with model ways to environmentally sensitively dismantle ships, or look at the opportunities posed by base closings around the country.

Our population is going to double in the course of this century. There are many great examples of over the long haul how, done right, base closings can help save the taxpayers' money and revitalize communities, not devastate them.

Army facilities nationwide are rich in historic buildings, structures, and districts. These historic properties potentially represent a significant and valuable heritage not just for the Army but for the Nation and particularly for the community in which they are located.

The National Trust for Historic Preservation has helped develop a methodology for this and has helped launch more than 1,500 commercial districts around the country to be revitalized. There is a tremendous potential for them to work with us nationally with military projects.

Look at Fort Ord, with 28,000 acres, the largest military base closed in the country. It is now the campus for California State University at Monterey Bay. More than 1,100 new jobs have been created already. Seven thousand acres have been turned over to the Bureau of Land Management to be preserved as open space.

Unfortunately, since the base was closed in 1993, the housing has not yet been returned to the community for reuse due to burdensome bureaucratic requirements and, even though some progress has been made in the course of this last year, not before much damage has been caused to the vacant housing and loss to the community.

We could speak further about the opportunities before embarking upon new projects. I think it is important for the military to deal with the legacy of the problems we have now.

One such legacy of military operations is the threat left by bombs and shells that did not go off when fired for testing and training. Commonly we are talking about 5 or 10 percent. It is estimated it is going to cost \$15 billion to

remove this unexploded ordnance in the United States alone. At the rate of \$150 million that we are spending a year now, it is going to take over 100 years to deal with this problem.

The budget for environmental security in the Department of Defense is \$4 billion out of a total budget of \$305 billion. It is time for us to take a step back to make sure that, if we can in the name of politics give the military money it cannot afford for projects that it does not need or want, then in the name of environment and livable communities, we can pay the bill and do it right.

This is a special opportunity for the Department of Defense and Congress. We should not take shortcuts with the environment in the name of national security. Instead, the Department of Defense should lead by example for more livable communities.

#### GENE TECHNOLOGY HAS COME OF AGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Madam Speaker, gene technology has come of age. It is referred to under different names: genetic engineering, gene splicing, bioengineering, recombinant DNA. No matter the name used to describe it, this technology represents the latest tool in a continuum of techniques researchers have developed and adopted over the centuries.

As chairman of the Subcommittee on Basic Research of the Committee on Science, we have spent the last 14 months studying this new biotechnology of genetically modifying products. We will be releasing probably the most inclusive and detailed report this coming Thursday at 2:30 at a press conference in Room 2320, the Committee on Science room. It is a summation of the findings of a series of three hearings held during the first session of the 106th Congress by our Subcommittee on Basic Research entitled, "Plant Genome Science: From the Lab to the Field to the Market." Additionally we have talked to and counseled with many other world experts on this subject.

What is truly powerful about this technology is that it allows individual, well-characterized genes to be transferred from one organism to another, thus increasing the genetic diversity available to improve important commercial crop plants as well as pharmaceuticals.

The potential benefits to mankind are limited only by the resourcefulness of our scientists. Biotechnology has been used safely for many years to develop new and useful products used in a variety of industry.

More than a thousand products have now been approved for marketing, and

many more are being developed. These products include dozens of therapeutics, including human insulin for diabetics, growth factors used in bone marrow transplants, products for treating heart attacks, hundreds of diagnostic tests for AIDS and hepatitis, and other infectious agents, enzymes used in food production, such as those used for the production of cheese and other products.

And this is just the beginning. In agriculture, new plant varieties created with these techniques will offer foods with better taste, more nutrition, longer shelf life, and farmers will be able to grow these improved varieties more efficiently, leading to lower costs for consumers and greater environmental protection.

Soybeans that produce high oleic oil containing less saturated fat and less processing; cotton plants that fight pests or produce naturally colored cotton, reducing the need for chemical dyes; bananas that deliver vaccines to fight enteric diseases are just a few examples of what is in store.

While millions of lives all over the world have been protected and enriched by biotechnology, its application to agriculture has been coming under attack by well-financed activist groups. The controversy they have generated revolves around probably three basic questions as I have defined them: one, are agricultural biotechnology and classical breeding methods conceptually the same? Two, are these products safe to eat? And three, are they safe for the environment?

The testimony and other material made available to the subcommittee as we have met with leading scientists throughout the world lead me to conclude that the answer to all three questions is a resounding yes.

In fact, modern biotechnology is so precise and so much more is known about the changes being made that plants produced using this technology may even be safer than traditionally bred plants.

This report contains background information on the development and oversight of plant genetics and agricultural biotechnology, a summary of the subcommittee hearings, and my findings and recommendations based on these hearings. I hope that it will be of use to all of the scientists and researchers in America as we examine this important issue of biotechnology.

The human genome effort and the plant genome effort with the *Arabidopsis thaliana* is being completed well ahead of schedule and will have a tremendous impact on our lives and the lives of people all over the world. We need to move ahead, but we need to make sure that scientific facts and not rumors and scare tactics are the basis of information to the general public. Politically motivated misinformation can slow down the advancement of a science that has so much potential for mankind.

□ 0945

## SMITH &amp; WESSON

The SPEAKER pro tempore (Ms. GRANGER). Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Madam Speaker, last week I spoke regarding the coerced agreement between the Federal Government and the firearms manufacturer Smith & Wesson. I would like to continue my discussion this morning by highlighting a few more quotes from those who participated in this coercion through litigation. I would like to emphasize that these are not statements that this country should be proud of, and these are not statements one will find in an official press release.

John Coale, one of the trial lawyers involved in the lawsuits against firearm manufacturers was quoted in The Washington Post as saying "the legal fees alone are enough to bankrupt your industry."

Regarding this agreement, the New York Attorney General Eliot Spitzer reportedly said to another firearms manufacturer, Glock, Incorporated, "If you do not sign, your bankruptcy lawyers will be knocking at your door."

On April 2, Mr. Shultz, CEO of Smith & Wesson was interviewed on the ABC news show, This Week, regarding the agreement that was reached with the Federal Government on gun control proposals.

Twice, my colleagues, in this interview, he referred to the "survival" of his company as a primary reason behind his settlement. In fact, in announcing this agreement, Smith & Wesson stated "these actions are about insuring the viability of Smith & Wesson as an ongoing business entity in the face of crippling costs of litigation."

Speaking of crippling litigation, last week's edition of National Review reported that Colt firearms manufacturer chose to cease producing firearms for civilian purchase because of the ruinous lawsuits. And this is a company that was voluntarily pioneering smart gun technology and had recently received a \$50,000 grant to develop smart guns. Here was a company working towards a common goal of the gun control advocates, but that did not matter. Those same advocates and their trial lawyers continued to pursue this costly litigation against Colt into a fait accompli.

Finally, an op-ed in today's Washington Post by Tom Cannon further characterized the agreement with Smith & Wesson. He stated "this agreement is a legally binding contract, not just between Smith & Wesson and the government, but also between the manufacturer and every wholesaler, retailer and private customer of Smith & Wesson's product, even though these parties were not consulted, advised or asked for their consent."

Mr. Cannon goes on to say that a preferential purchase of Smith & Wesson firearms would be a purchase that requires the voluntary surrender of the rights of choice association and privacy.

Madam Speaker, I ask that Mr. Cannon's op-ed be made a part of the RECORD.

[From the Washington Post, Apr. 11, 2000]  
(By Tom Cannon)

If you follow the gun issue at all, you're aware that last month Smith & Wesson, one of the oldest American gun manufacturers, signed a deal with several government entities at all levels. The primary purpose of this deal was to release Smith & Wesson from the lawsuits being filed against gun manufacturers seeking to hold them responsible for the criminal misuse of their products by unrelated third parties.

Among other things, this agreement is a legally binding contract not just between Smith & Wesson and the government but also between the manufacturer and every wholesaler, retailer and private customer of Smith & Wesson products—even though these parties were not consulted, advised or asked for their consent. Any wholesaler or retailer who wishes to continue carrying Smith & Wesson products will be required to agree to the terms of this contract, and force is customers to do likewise. My primary objection is that the last time I checked, I had not granted Smith & Wesson power of attorney.

In immediate response to this "unholy alliance" between a once-respected company and the government, gun owners from all over the country, myself included, contacted their local gun stores and begged them to discontinue carrying Smith & Wesson products. The Michigan Coalition for Responsible Gun Owners sent a letter to every S&W dealer in Michigan, asking on behalf of our thousands of members that they drop the line. Across the country, thousands if not millions of us pledged not to patronize a business that sold Smith & Wesson products under the terms of this new agreement.

Whether because of this market pressure or because of the onerous terms of the agreement itself, many dealers have decided to drop the Smith & Wesson line. As a free market economy, it seemed our work was done; our dollars had spoken for themselves. We would provide a harsh object lesson for the manufacturers about the attitudes of the market.

But shortly after the Smith & Wesson agreement was announced, several of the same government entities that signed the deal announced investigations of S&W's competitors for alleged violations of anti-trust laws. In short, the message seems to be: "You will buy Smith & Wesson." Personally, I find this even more insidious than the original lawsuits that brought on this foolishness. In gangster movies this would be called a "protection racket." It brings to mind the bus boycott in Montgomery, Ala., during the civil rights movement, and the local government's reaction to it.

There is nothing to prevent Smith & Wesson from opening its own retail stores in every gun-buying market or from franchising its retail licenses, unless of course you count the fact that they won't sell many firearms to the traditional gun-buying public. A friend of mine, a collector whose passion is Smith & Wesson revolvers and who reportedly has "more Smiths than Smith," says he is done buying new Smith & Wesson products. Their days in this market are probably numbered.

Can Smith & Wesson survive? Sure, it could limp along on government contracts,

or get some other kind of help from its new best friends. After all, our government has propped up thousands of businesses over the years long after they should have succumbed to market pressure and closed up shop.

Or anti-gun groups such as Handgun Control Inc., with their incessant claims of support from suburban "soccer moms," could create a new market by encouraging these moms to buy Smith & Wesson in support of their so-called "dedication to safety." Handgun Control Inc. has already posted articles on its web site praising Smith & Wesson for its actions, so it's really only a half-step farther to promote Smith & Wesson's products to its audience.

And that could just be the icing on the cake. More people would own guns, thus being able to defend themselves against crime, and traditional gun owners like me would split our sides laughing at the ironic spectacle of HCI shilling for S&W.

If the soccer moms want guns who purchase requires the voluntary surrender of the rights of choice, association and privacy, then let the soccer moms buy them.

The writer is on the board of directors of the Michigan Coalition for Responsible Gun Owners.

Madam Speaker, I think these are the kinds of quotes that should send chills through the spine of every American. In essence, a precedent has been set which has the government lawyers and private lawyers conspiring, conspiring to coerce private industry into adopting public policy changes through the threat of abusive litigation. The option? Adopt our proposals or you will go bankrupt.

Madam Speaker, this is not a way to run a Republic. We should confront this threat to our constitution immediately and stop any future attempts at coercive litigation by our government.

Every Member of Congress, regardless of political philosophy, should be concerned with this type of action. Any future executive branch could circumvent Congress anytime it disagrees with our policy. As elected officials, we are sworn to uphold the constitution. We should not condone coercive litigation to circumvent the legislative function of the Congress. This is not a political issue. This is a Constitutional issue.

Madam Speaker, I have introduced a resolution disapproving of the executive branch using litigation in a coercive manner to circumvent the legislative function of the Congress. I urge every one of my colleagues to cosponsor and defend the constitutional authority of Congress, its right to make national policy here in the House of Representatives.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 11 a.m.

Accordingly (at 9 o'clock and 51 minutes a.m.), the House stood in recess until 11 a.m.