

brother at West Hyannisport for my mother's 72nd birthday just two weeks before. It had been the first time in five years we had all been together. We shared so much joy and laughter and gave each other so much love and support for all the struggles and challenges going on in each other's lives. We headed off in our separate directions, refreshed and renewed by the blessings only family love gives. Today, we unite again as a family to ease the pain, dull the shock and fill each others spirits as we acknowledge our brother's departure to his home with the Creator.

In all these days of telephone communications with my family, we've each had time to express our deepest thoughts, our rawest emotions, and without exception they have been expressions of love, compassion, and peace. My brother and the thousands more who ascended en masse into God's light were the recipients of an energy called hate. We know this one well. We've seen it in our schools, our cities and towns, and throughout the world. We are familiar with its bitter taste. But where does it come from? And why was it directed at us—America? Do we need to look at the way we consume disproportionate amounts of the world's resources while billions live in poverty? Do we need to examine the overdue responsibility to rein in greed and waste, and the need to share more equitably with all our brothers and sisters?

It would be easy for us to shun culpability, to proclaim victimization, to extoll political rhetoric and allow military action to be our reaction. But, I don't believe my brother and all those other beautiful spirits made the supreme sacrifice so that we can go on with business as usual. Might makes right! The have and the have nots! An eye for an eye! Money is power! I believe their prayers of the families who lost loved ones and the human community at large are that we act, and not react. That we take this seed called love and grow a new garden; a world where love, sharing, charity, compassion and caring are our mantra and not more, more, more!

I believe we are at a crossroad as human beings. We have free will. We have the right to choose. Will our recourse be one of hate, anger, revenge and the subsequent and eventual destruction of humankind and Mother Earth? Or do we take responsibility—each and everyone of us and become a conduit of God's love, acknowledging the circle of light that connects all of us? We cannot harm another without harming ourselves and that is why all the world feels our pain and grieves with us; and that is why all the world anxiously awaits our response. Let our collective goal be justice for all.

As one who has my blessed brother departed from this physical plain too soon and with such horror, I choose to stand for love, compassion, peace and for a true change on all our parts. As children of God, I ask you all, to look into your hearts and see what kind of a world you want your children to grow up in, and to then decide to make it so. It is within all our power to change our world.

May there be peace on earth.

May the heart of all people be open to themselves and each other,

May all people awaken to the light of their own true nature,

May all creation be blessed, and be a blessing to all that is.

## RECOGNIZING THE LIBERTY FIRE DEPARTMENT AND THEIR SPOUSES

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Mr. GRAVES. Mr. Speaker, I rise today to recognize the Liberty Fire Department and their spouses for its work and sacrifice in honor of all the people who both survived and who lost their lives in the terrorist attacks on September 11, 2001, their families and their friends.

These terrorist attacks mark a solemn moment in America's history. American men and women, civilians and soldiers, firefighters and police, mothers and fathers, were slain for a cause so terrible, so heinous, and so despicable that we find it unimaginable and indescribable. United, Americans seek to find meaning and hope in a seemingly hopeless and meaningless act. In the days since these terrible terrorist attacks, America has been shoulder-to-shoulder in a struggle to meet the challenges of a world that is a little less safe, a little scarier, and far less predictable. The efforts of organizations like the Liberty Fire Department signify the commitment and concern of Americans everywhere. Our Nation's strength does not lie in her military might but rather in the collective compassion of its people.

Since the September 11th terrorist attacks, the Liberty Fire Department and their spouses have participated in the "Pass the Boot" activities at Arrowhead Stadium and fundraising at the Liberty Fall Festival raising thousands of dollars to assist in the rescue efforts including the 911 Relief Fund, the Red Cross, and to provide for the grieving families. The patriotism and persistence of the Liberty Fire Department is a lasting memorial to the thousands of victims who perished in New York, Washington, and Pennsylvania.

Through the days, weeks, and months ahead, all Americans must come together and do what they can to assist the nation's war effort. Whether it is giving blood, sending donations, praying for the thousands of grieving families, or simply saying thanks to the brave men and women who put their lives on the line each and every day so that we may be free, it is important that the American people are vigilant in their efforts to overcome this evil. Though our Nation has witnessed unspeakable horror, America's virtues, determination, and faith continues to shine brightly on the world.

I am confident that the United States will seek out those that harbor hatred, terror, and depravity in their hearts; and we will defeat them. This is a war that we must, can, and will win. May God bless the families and children grieving across this great Nation and may God bless America.

## CONSUMER PRODUCT RISK REPORTING ACT OF 2001

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Mr. MARKEY. Mr. Speaker, I rise today to introduce the "Consumer Product Risk Report-

ing Act of 2001," a bill intended to improve consumer safety by achieving increased compliance with existing requirements to report hazards. The legislation would increase the civil and criminal penalties that the CPSC can seek from firms that do not inform the Commission when they have a product that could pose a substantial hazard to consumers. The legislation would also help make some product recalls more effective.

The CPSC is the government agency that makes sure cribs, toys, and other products in your home or around schools and in recreation areas are not hazardous, and recalls them when they are hazardous. The CPSC oversees the safety of 15,000 different kinds of consumer products. Each year there are more than 29 million injuries and about 22,000 deaths associated with consumer products.

Current law provides that if companies have information that one of their products has a safety defect that could create a serious product hazard or presents an unreasonable risk of serious injury or death, they are required to report that to the government. Unfortunately, some companies are not obeying the law. The CPSC estimates that in half of the most serious cases they deal with, the company has failed to report injuries. Instead, the information comes to the attention of the agency from its own investigators, from consumers, or tragically, from hospital emergency room reports or death certificates.

When companies don't report, dangerous products that should have been recalled or modified remain on store shelves. They continue to be sold and they stay in consumers homes where they can cause serious injury or death.

Some consumers pay a very high price for a company's failure to report.

For example, a 3-year-old girl died while playing on her swing. Her grandfather was cutting weeds in the yard using a weed trimmer with a replacement head that was made with metal links. The end link broke off and it flew through the air as a piece of deadly shrapnel—travelling 240 miles an hour. It hit his granddaughter in the temple, penetrated her skull and killed her.

The company didn't tell the CPSC about this death, nor did they tell the CPSC about the 40 other serious injuries from chains breaking. The CPSC was forced to do its own investigation and recalled the product nationwide in May 2000.

Such failures to report can result in tragic losses of life and limb that are avoidable and preventable if compliance with reporting were higher.

Under current law, the CPSC can fine companies for violating the law, but the amount of the fine is limited by statute to a level that does not sufficiently deter violations. Under current law, companies can face criminal penalties for violating consumer product safety laws, but they are only misdemeanors. Under current law, in any recall, companies elect whether to provide a repair, replacement or refund for defective products. In most cases, the CPSC can find a good solution to the problem for consumers. But in other cases, especially where the product is older and has been on the market for many years, companies argue they can elect a refund that may not result in an adequate recall thus resulting in the dangerous product remaining with consumers.

To remedy these deficiencies, the legislation would:

Eliminate the cap on civil penalties for violations of product safety laws.

Under current law, the CPSC cannot assess more than \$1,650,000 for a related series of violations against a company that knowingly violates consumer product safety laws. The legislation would eliminate this maximum civil penalty. Many of the cases in which the Commission seeks civil penalties involve very large corporations that can easily absorb a \$1.65 million fine. For them, it is a cost of doing business. More substantial civil penalties would provide a needed incentive for those and other companies to notify CPSC of dangerous products so that the agency can take timely action to protect consumers. Other agencies, including the Federal Trade Commission, enforce laws with no "cap" on the amount of the penalty.

Increase the penalty for a "knowing and willful" criminal violation of product safety laws from a misdemeanor to a felony and eliminate the requirement that the agency give notice to the company that is criminally violating the law.

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 under the Consumer Product Safety Act that the Commission give notice of non-compliance before seeking a criminal penalty for a willful violation of the 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 clear authority to overrule the remedy chosen by a manufacturer to address a defective product in a product recall when the Commission determines that an alternative remedy would be in the public interest.

Under current law, a company with a defective product that is being recalled can elect 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 try to choose a remedy in a recall that does not further public safety. For example, a manufacturer may argue it can choose to refund the purchase price of a product, less a reasonable allow-

ance for use even though the product has been on the market for a long time and the amount due consumers may be so insignificant 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 for the consumer is substantial. Companies may try to choose an insubstantial refund even though people have been at risk for a number of years, thousands of products are still in use, injuries are continuing to occur and a repair is available and feasible. In this example, a refund is no remedy at all, and offering a minimal refund would not serve the public interest.

#### AGRICULTURAL BIOTECHNOLOGY AMENDMENT TO H.R. 2646

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to introduce an amendment to H.R. 2646, the Farm Security Act of 2001. Please print the amendment in the CONGRESSIONAL RECORD.

My amendment establishes a program under the Foreign Agricultural Service in the Department of Agriculture to award grants for the research and development of biotechnology on agricultural products that can be grown in the developing world. Eligible grant recipients include historically black or land grant colleges or universities, Hispanic serving institutions, and tribal colleges or universities that have agriculture or the biosciences in its curricula. Non-profit organizations or consortia of for-profit institutions with in-country agricultural research institutions are also eligible. Grants are awarded on a competitive merit-reviewed basis.

If you have any questions about this amendment, you may contact John Tustin at 225-8885. I appreciate your attention to this matter.

#### SALUTE TO PULASKI

**HON. MARK FOLEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Mr. FOLEY. Mr. Speaker, as American Polish clubs across the state prepare to celebrate the Pulaski Day Celebration, I would like to recognize General Casimir Pulaski and all Polish Americans.

General Pulaski came to America in 1777 to aid our fledgling Nation during the Revolutionary War. As a cavalry general, he earned the title "Father of the American Cavalry" leading many successful campaigns and directly contributing to our overall victory.

Pulaski understood that America would become a beacon of freedom. In the wake of recent events, and as we assemble an international coalition, it is my sincere hope we can find individuals that have the same dedication and courage as Casimir Pulaski to assist us in seeking justice.

The United States is a country with many Polish Americans that live their lives in the tra-

dition of Casimir Pulaski. It is this tradition that makes our country great and will assure our victory once again.

Mr. Speaker, again, I pay tribute to all Americans of Polish ancestry as we celebrate Pulaski Day.

#### HONORING FALLEN FIREFIGHTERS

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Mr. BENTSEN. Mr. Speaker, I rise today in support of the Resolution to honor the brave men and women who lost their lives while shielding others from fire. Everyday at firehouses across America, thousands of men and women shelve fear and self-interest, strap on boots, and await the alarms or cries for help. They form the frontline of our homeland defense. They enter blazing buildings and risk their lives to save strangers—knowing full well that each day at work could be their last. These heroes are the veterans of domestic tragedies.

On September 11th, while thousands of workers raced from the blazing twin towers, hundreds of New York City's bravest stormed in—pushing aside fear and clearing paths to free those trapped inside the rubble. For many of New York's firefighters, their service during the fires of September 11th was their last heroic acts. Their lives of courage and selflessness exemplify the meaning of compassion and concern for others.

September 11, 2001 is a day in history that all of us wish we could erase. The visions of our symbols of capitalism and security ablaze are permanently etched in our memories. We cannot wipe out these horrific images, nor can we forget the tragic tales of lost loved ones. But we can choose to move on and carry with us the memories of bravery and brotherhood that so embody the American spirit. The fallen firefighters leave behind a legacy of valor and an unyielding commitment to the common good.

Mr. Speaker, it is only fitting that we lower our nation's flags each year in honor of these individuals so that we never forget the sacrifice they made for the betterment of the rest of us. As a result of the egregious attack on our nation many fathers, mothers and children were killed. Our burning tears of sorrow will never be forgotten. We will be eternally grateful for the courageous sacrifice of these men and women.

#### IN RECOGNITION OF THE PRESERVATION OF THE ISLAND FOX

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 2, 2001*

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of the preservation efforts for endangered Island fox. This unique species inhabits San Miguel, Santa Rosa, Santa Cruz, San Nicolas, Santa Catalina, and San Clemente Islands in the chain of Channel Islands off the coast of Southern California, and its once thriving population has declined in recent years.