

truly understand that obligation. Now our eyes are wide open. We will never become complacent again. Complacency in the face of evil lays the foundation for the end of liberty.

The international terrorist networks are a cancer growing on the heart of freedom and a direct threat to civilization itself. The events of September 11 reminded us that we must do whatever it takes to defend freedom and root out tyranny and terrorism. That mission begins with good intelligence and a more robust military. For far too long the people we asked to defend America have been fighting our enemies with one arm tied behind their back and that must change.

Today we added to that effort by passing the Intelligence Authorization Act. We need to renew our commitment to our national defense. We must once again rebuild our military by arming our forces with the tools that they need to meet the full scope of threats to our security. We need to spend what it takes to defend America. It is time to begin upgrading our capabilities to defeat and deter those who would target freedom.

We need better human intelligence. Good intelligence is essential to protecting our Nation and our allies, and it is vital to ensuring that our military has the information it needs to safely and effectively carry out its mission. We need to cultivate and develop sources of information that will reveal the movements, activities, and identities of the people plotting evil schemes against people of freedom and civilization.

What might be the most important change, we need to provide our defenders with the flexibility to protect America effectively. The men and women working to save our freedom must have those tools that they need to defeat those who are thinking the unthinkable.

As we move forward in the campaign to save civilization, we need to remember that there is no quick victory just around the corner. We will suffer additional losses. We will lose more great Americans, and we will have to make additional sacrifices here at home. But freedom is worth it. All of us need to understand that.

This war against the cancer of terrorism is a perpetual obligation. It never ends. So we can never drop our guard again. We cannot be confused about the nature of this threat. This conflict is larger than one man or one terrorist network. It is a struggle between all of those who wish to live in freedom and those who wish to enslave the world beneath an oppressive, evil totalitarian ideology. It is a new battle between every American and all of the terrorist networks.

We also have to remind everyone that this is not a conflict over faith. Millions of people in the world draw meaning and fulfillment from the Islamic faith. The extreme views of this splinter movement do not reflect the

wishes of millions of Muslims who only seek a better life for their families.

There is additional danger in the campaign against terrorism. We have got to remember that the traditional threats have not receded. If anything, the terror networks exacerbate the long-standing threats we have always faced. One thing we could do is reduce our dependence on foreign sources of energy. Our dependence, a 57 percent dependence on foreign sources of energy weakens our national and economic security.

We need to move towards energy independence and energy security. It will take weeks, months, and years; but America must reduce our dependence on energy from volatile corners of this world. This is a test. It is a test of this generation of Americans. An evil movement thinks it can extinguish that wonderful light of freedom. Terrorists send people to die because they believe we have forgotten who we are. They believe that we lack the resolve to defend our way of life. They hate America and not because we act but simply because we exist.

Americans know who we are. During World War II, America defeated the forces of fascism because that generation risked all that they had to secure freedom for their children. So today we face a crisis that is every bit as serious as that crisis in World War II. It is going to take sacrifices; and unfortunately, it is going to cost lives. But the American people retain the determination, the conviction, and the love of liberty to resist this ongoing aggression and vindicate freedom. We will defend freedom. We will keep freedom alive.

ANDEAN TRADE PREFERENCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 60 minutes as the designee of the minority leader.

Mr. FALEOMAVAEGA. Mr. Speaker, I just learned yesterday that a bill was hastily prepared 2 nights ago by the staff of the Committee on Ways and Means and without the opportunity to seek comments and testimonies, even to appear before the Subcommittee on International Economic Policy and Trade, the bill was marked up in full committee this morning. The bill passed today by a vote of 23 to 17, rejecting my good friend's, the gentleman from New York (Mr. RANGEL), amendment that would have literally saved the U.S. tuna industry.

I wanted to thank my good friend, the gentleman from California (Mr. BACA) for his eloquent remarks, the gentleman from Louisiana (Mr. JEFFERSON) for his support, and the gentleman from Georgia (Mr. LEWIS) for his support. I especially want to note, the precious vote that also was received by my good friend, the gentleman from Georgia (Mr. COLLINS) for his support of this legislation.

Mr. Speaker, I sincerely hope the great spirit will enlighten my colleagues of the House, especially if this bill, H.R. 3009, the Andean Trade Preference Act, if this bill passes by not excluding tuna as a duty-free import from Andean countries, it will essentially mean the loss of some 10,000 jobs to tuna cannery workers in California, Puerto Rico, and my district of American Samoa.

Mr. Speaker, current trade policy with regards to canned tuna has provided significant benefits to certain Latin American countries, while at the present time has maintained an industrial tuna processing base in the United States.

Since the enactment of the Andean Trade Preference Act, a number of tuna factories in the Andean region has increased to 229 percent, production capacity is up to 400 percent, direct employment is up to 257 percent, and U.S. exports have grown from about \$15 million to \$100 million annually.

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In addition, the U.S. tuna industry has invested over \$20 million in new facilities and vessels. However, I must repeat, extending this agreement by providing duty-free treatment to canned tuna from Andean countries, especially Ecuador, will, in my opinion, destroy the U.S. tuna industry.

I have heard the argument that Congress has included canned tuna both in the Caribbean Basin Initiative and NAFTA, and some have questioned why we are not doing the same for Ecuador and the Andean region. Well, the answer simply is that no other region, especially a country like Ecuador, once we allow duty-free canned tuna to be imported from the Andean countries, has the potential of literally wiping out or destroying the U.S. tuna industry.

For example, Mr. Speaker, Ecuador alone has the production capacity now equivalent to 2,250 tons per day production. Using a 5-day workweek, this equates to a production capacity equivalent to 48.6 million cases of canned tuna per year. And using a 6-day workweek, Ecuador's production capacity is equivalent to 58.5 million cases of canned tuna per year. Now, the interesting thing about this, Mr. Speaker, is that U.S. consumption is only 45.3 million cases of canned tuna per year. What does that mean? Ecuador could produce enough canned tuna to flood the entire U.S. market. And brand names like Chicken of the Sea and Bumble Bee, brands that Americans have come to trust, would be eliminated from grocery stores. It is even questionable whether tuna from Ecuador is dolphin-safe. So serious are these issues that Mexico levied a 24 percent duty last year on canned tuna exported from Ecuador.

Mr. Speaker, it is also important to note that Ecuador levies a 20 percent duty on imported canned tuna from the United States. Now, I am all for free

trade, Mr. Speaker; but I am also for fair trade. The fact of the matter is, more than 10,000 jobs in my district, Puerto Rico, and California will be lost if H.R. 3009 passes in its current form. Why? Because the minimum wage rate for workers in Ecuador is 69 cents per hour. This is why a company like StarKist Tuna Company and its parent company, the Heinz Corporation, have been pressuring Congress to allow StarKist to hire fish cleaners in Ecuador and pay Ecuadorans 69 cents per hour. Would this be considered cheap labor or slave labor, I ask, Mr. Speaker?

Mr. Speaker, the Heinz Corporation, the parent company of StarKist Seafood Company, has lobbied for the inclusion of canned tuna as a duty-free import in the Andean Trade Agreement. But it must be made clear that the StarKist Seafood Company is also the only U.S. tuna processor that supports duty-free treatment for canned tuna exported from Ecuador. Put another way: StarKist is the only tuna processor willing, in my opinion, to sell out American workers in exchange for wages of 69 cents per hour to pay Latin American workers.

As my colleagues may know, Mr. Speaker, American Samoa is the home of the largest tuna cannery facility in the world. One cannery facility is operated by StarKist, a subsidiary of Heinz Corporation; and the other facility is owned by the Chicken of the Sea, a company out of California. Today, these two companies employ more than 5,150 employees, or 74 percent of American Samoa's workforce. Approximately 80 percent of the private sector jobs in my district, Mr. Speaker, are dependent, either directly or indirectly, upon the tuna fishing and processing industry.

As Malcolm Stockwell, former vice president of StarKist Seafood Company recently testified, and I quote, "A decrease in production or departure of one or both of the existing processors in American Samoa could devastate the local economy, resulting in massive unemployment and insurmountable financial problems."

The chief executive officer of Chicken of the Sea has already noted that if the Andean Trade Agreement includes duty-free treatment for canned tuna, its operations in American Samoa would be forced to downsize by as much as 50 percent. StarKist has testified that if Ecuador is given the same trade preference as a U.S. territory, like my district, its production would almost immediately shift to low labor-cost areas.

Now, let us talk about labor-cost areas. In fact, I just want to share another bit of information with my colleagues this afternoon. Right now, under the Andean Trade Agreement, fish loins are exported duty free to the United States; and companies like Bumble Bee, Chicken of the Sea, and StarKist buy these fish loins from Andean countries, like Ecuador. But if

canned tuna can also be imported duty free, what is to prevent these U.S. tuna companies from laying off 800 workers from Puerto Rico and closing their facilities in my district, as well as in California, and going and operating out of Ecuador and other Andean countries?

Mr. Speaker, my people want to work. They do not want handouts. I do not know if my colleagues are aware of the fact that for the 40 years since the welfare program was implemented here in the United States, my leaders and our people have never wanted to have welfare applied to our territory. Why? Because we want to work. We do not want handouts. We want to work for what we earn. And if this happens, if this bill passes, with the destruction of the U.S. tuna industry, am I going to have to now come before the Congress and ask for subsidies in support of the 10,000 displaced workers as a result of this bad and poor legislation?

Mr. Speaker, I specifically asked StarKist and H.J. Heinz executives what financial loss StarKist would incur if canned tuna was not included in the Andean Trade Agreement, and I was told StarKist would suffer no economic loss. In other words, StarKist is only in it for the lower labor cost among the Andean countries. I also wish to note that the minimum wage rate in my own district, in American Samoa, for a fish cleaner, is only \$3.20 per hour, which is below the national minimum wage standard and which reminds me of these words offered by a good Senator from Idaho by the name of Senator Borah during the course of the Fair Labor Standards debate right here in this Chamber in 1937.

Senator Borah said, and I quote, "I look upon a minimum wage such as will afford a decent living as a part of a sound national policy. I would abolish a wage scale below a decent standard of living, just as I would abolish slavery. If it disturbed business, it would be the price we must pay for good citizens. I take the position that a man who employs another must pay him sufficient to enable the one employee to live." And Senator Pepper, from Florida, asked, "Well, what if he cannot afford to pay it?" Senator Bora responded, and I quote, "If he cannot afford to pay it, then he should close up the business. No business has a right to coin the very lifeblood of workmen and women into dollars and cents. Every man or woman who is worthy of hire is entitled to sufficient compensation to maintain a decent standard of living. I insist that American industry can pay its employees enough to enable them to live."

Quite frankly, I agree with Senator Borah, Mr. Speaker. StarKist, like any other industry, should pay its employees, whether in Ecuador or American Samoa, enough to live. StarKist should not be about the business of lobbying to suppress wages.

Mr. Speaker, I want to share a bit of history also with the Members. At a

time when the national debate right here in this Chamber was about whether or not we should have a minimum standard wage rate, and this debate took place in 1937, the Members representing our fellow Americans from the South did not like the idea that if business wanted to find cheap labor they would go to the South. Industries up in the North always took advantage of the fact that they could find cheap labor if they would go to the South. Well, when this minimum wage was finally passed in the Congress, and after a hot debate in this Chamber, guess what, there was no economic chaos. There was tremendous growth that came along with it, with the increase of wages of the working men and women in our country.

When all is said and done, Mr. Speaker, tuna processing is the only industry holding together the economy of my district, the Territory of American Samoa. American Samoa's only advantage in the global marketplace is duty-free access to the U.S. market. And what price has American Samoa paid to have the U.S. trade privileges? As a territory of the United States, our men and women have paid the ultimate sacrifice in military service to our Nation.

American Samoa pledges its allegiance without question to this great Nation of ours. Ecuador and other Andean countries do not. American Samoa has been the backbone of StarKist's sales. Ecuador has not. In the past 25 years, StarKist and Chicken of the Sea have exported more than \$6 billion worth of tuna from American Samoa to the United States. Thanks to American Samoa, StarKist is the number one brand of tuna in the world today. They call him "Charlie, the Tuna." Well, I do not know about Charlie the Tuna these days with the way they are operating.

Mr. Speaker, why is it that StarKist and its parent company, Heinz Corporation, are willing to allow tuna imports to coming into the U.S. duty free from other Andean countries, a position opposed by two other major U.S. tuna companies and even the entire U.S. tuna-fishing fleet? As StarKist testified at a recent Senate hearing, and I quote, "StarKist will continue to can and sell tuna. However, the history of tuna canning in the United States and Puerto Rico has demonstrated quite clearly that StarKist will also take whatever action is required to remain cost competitive."

Is this why StarKist and Heinz Corporation support a trade agreement that the entire U.S. industry opposes? Will StarKist and Heinz Corporation sell out America at a time when our Nation is in recession and our country is under attack?

Mr. Speaker, I trust that the Members of this esteemed body will do what is right for America. I trust that in these difficult times Members of this body will protect U.S. industries and U.S. workers, particularly the tuna industry. I trust that we will stand united

together to exclude canned tuna from this proposed bill, H.R. 3009.

I would like to share with my colleagues some additional information that was submitted to me by my good friend, the CEO of the Bumble Bee Seafood Company out of California, in San Diego. Another note to my colleagues:

The Andean Pact nations do not comply with many of the environmental regulations supported by the United States. For instance, one of the Andean Pact countries, Bolivia, does not adhere to the dolphin-safe position of the U.S. market. In addition, many of the Andean Pact countries refuse to take enforcement actions against them.

The bill also penalizes the U.S. tuna industry for being American. Not only do we adhere to minimum wage standards and provide Social Security and medical insurance for our workers, we also enforce U.S. regulations regarding the environment and trade.

The letter says, "I support the U.S. initiative to battle the drug trade." We all know that, Mr. Speaker. But I think what is most important here is that I am making an appeal to StarKist Tuna Company and its parent company, Heinz Food Corporation, to join with the rest of the U.S. tuna industry to make the U.S. tuna industry a viable and credible industry in our country for the sake of some 10,000 workers who are about to lose their jobs if the Congress does the bidding of Heinz Corporation.

I think this is most unfair, Mr. Speaker; and I will continue working on this issue in the coming weeks and months. I sincerely hope that there will be a reasonable and an equitable solution to this problem that we now have.

Mr. Speaker, I submit for the RECORD the full letter from the CEO of the Bumble Bee Seafood Company, to which I earlier referred.

BUMBLE BEE SEAFOODS,
San Diego, CA, August 22, 2001.

Hon. ENI F. H. FALEOMAVAEGA,
Rayburn Bldg.,
Washington DC.

DEAR CONGRESSMAN FALEOMAVAEGA: I am writing on behalf of Bumble Bee Seafoods, the number one brand of canned seafood and number two brand of canned tuna in the United States. Bumble Bee, the only American company with a financial investment in the Andean tuna industry (in Ecuador), along with Chicken of the Sea and U.S. tuna boat owners, strongly oppose the granting of NAFTA status for canned tuna products to members of the Andean Pact as contemplated in S525.

The U.S. tuna industry has been an essential part of the U.S. economy for close to 100 years. We currently provide more than 10,000 jobs in California, Puerto Rico and American Samoa. In addition, we support an even greater number of jobs in related industries and we underpin the existence of the U.S. high seas tuna fishing fleet that operates throughout the Pacific Ocean.

From a consumer standpoint, canned tuna represents the third fastest moving product category in the entire U.S. grocery business and provides a high quality, affordable source of protein for 96% of U.S. families.

As written, S.525 would significantly damage the U.S. tuna industry, threatening jobs

in both the processing and fishing sector. More importantly, it would place our business into foreign hands and benefit countries that do not abide by the same environmental, labor and safety standards imposed on U.S. manufacturers. S525 penalizes the U.S. tuna industry for being American and does an injustice to the U.S. consumer. Let me give you some key facts:

The Andean Pact nations do not comply with many of the environmental regulations supported by the United States. For instance, one of the Andean Pact countries, Bolivia, does not adhere to the dolphin safe position of the U.S. market. In addition, many of the Andean Pact countries refuse to take enforcement action against their flag vessels which have been found to be in violation of IATTC, (Inter American Tropical Tuna Commission) fishing regulations. These actions—or lack of action—threaten the conservation of the tuna stocks.

U.S. Trade policy already provides beneficial access to the U.S. market for the Andean Pact countries through the sale of frozen tuna 'loins'. The current import duty on tuna loins into the United States is less than one half of one percent, which is virtually zero. This trade policy has enabled the Andean Pact tuna industry to explode over the last ten years and supports our position that tuna should continue to be exempted from the Andean Trade Preference Agreement.

ANDEAN PACT TUNA INDUSTRY GROWTH—1990 TO 2000

Number of tuna factories has increased from 7 to 23, up 229%; production capacity has increased from 450 to 2,250 tons per day, up 400%; direct employment has increased from about 3,500 to 12,500, up 257%; exports to the U.S. have grown from about \$15 million to more than \$100 million, up 567%; European exports are up even more significantly; the Andean fishing fleet has grown to the largest in the ETP and now represents more than 35% of the ETP catch.

To put this capacity in perspective, there is enough production capacity in the Andean Pact countries to supply the entire U.S. market. This leads to the real risk of product dumping which will damage the domestic tuna industry. This Andean Pact product is manufactured utilizing labor costs of less than \$0.70/hour and a cost structure that is subsidized by their various governments. This will force the closure of U.S. tuna processing facilities and will decimate the economies of western Puerto Rico and American Samoa where 85% of public sector employment is based on the U.S. tuna industry.

The risk of product dumping has already been experienced by our NAFTA trading partner to the south, Mexico. Mexico recently imposed a 23% import duty on canned tuna products from one of the Andean Pact nations, Ecuador, due to product dumping.

S. 525 is not reciprocal. The bill provides NAFTA duty benefits to the United States market while the Andean Pact countries continue to enforce trade barriers against the U.S. tuna industry by imposing import duties on U.S. produced canned tuna as follows: Ecuador, 20%; Colombia, 20%; Peru, 12%; Bolivia, 10%; Venezuela (a possible addition to the Andean Pact), 20%.

This non-reciprocity also extends to other U.S. produced products that are essential to the processing of canned tuna such as empty cans, packaging and ingredients which are subject to import duties by the Andean Pact countries.

The bill penalizes the U.S. tuna industry for being American. Not only do we adhere to minimum wage standards and provide social security and medical insurance for our workers, we also enforce U.S. regulations regarding the environment and trade. Pro-

viding NAFTA trade benefits to the Andean Pact countries awards them for not complying with these policies.

S. 525 ignores the obligation we have to the U.S. consumer since the quality and food safety standards of many of the tuna processing facilities in the Andean Pact countries are not up to the same standards utilized by U.S. canned tuna processors.

To support the U.S. initiative to battle the drug trade, Bumble Bee has already established tuna loining operations in one of the Andean Pact countries, Ecuador. We are the only American company that has invested in Andean Pact region—close to \$25 million—and we currently provide more than 2,000 jobs.

Yet despite our presence in Ecuador, Bumble Bee does not support S. 525 due to the negative ramifications we have highlighted in this letter.

In summary, S. 525 does not recognize the current tariff benefits on tuna products enjoyed by Andean Pact countries, ignores the tariff recently imposed on tuna products from Ecuador by our primary NAFTA trading partner, will lead to "dumping" that will in turn cause significant harm to the U.S. tuna industry and has significant potential to have negative consequences on the American consumer.

We therefore urge you to exempt canned tuna products from the scope of trade benefits offered by S. 525. There is no justification for granting such trade benefits at this time.

I would like to meet with you to discuss this matter in more detail. I can be reached by phone, e-mail or mail and am happy to travel to Washington to provide any other facts or information that can help you make an informed and responsible decision on this critical piece of trade legislation.

Thank you in advance for your support.

Very truly yours,
CHRISTOPHER LISCHESKI,
President, Chief Operating Officer,
Bumble Bee Seafoods.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of urgent business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WU) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's