EXTENSIONS OF REMARKS

LEGISLATION DIFFERENTIATING ANIMAL FATS AND VEGETABLE OIL FROM TOXIC OIL UNDER FEDERAL LAW

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1995

Mr. EWING. Mr. Speaker, I am introducing legislation, along with Ms. Danner of Missouri, requiring Federal agencies to differentiate between organic oils—animal fats and vegetable oils—and petroleum-based oils when promulgating regulations under the Oil Pollution Act of 1990.

This commonsense legislation does not change or weaken the underlying principles of the Oil Protection Act of 1990 or the other related statutes, like the Clean Water Act. It simply requires agencies to, one, differentiate animal fats and vegetable oils from other oils, and two, proposes regulations that recognize the differences in the characteristics or properties of these oils. These natural products are nontoxic, and their unnecessary regulation forces businesses to comply with costly and counterproductive requirements.

The need for this legislation is prompted by the regulations recently issued under provisions of the Oil Pollution Act of 1990, and the laws amended by the act. The Oil Pollution Act was designed to reduce the risk of, improve the response to, and minimize the impact of catastrophic oil spills, like the one in Prince William Sound, Alaska. Unfortunately, the Oil Pollution Act's definition of ''oil,'' has been broadly applied to nontoxic agricultural products rather than just toxic oils.

Nobody in their right mind would purposely ingest toxic products, but many of us consume food products manufactured with animal fats and vegetable oils every day. I think we can all agree agricultural oils to not pose the same risk to the environment and human health as toxic synthetic oils and, therefore, should not be regulated in the same fashion by the Federal Government.

In the 103d Congress many Members of this body agreed with me and signed letters to Secretary Penã and Administrator Browner on this subject. A version of this legislation was passed twice by the House as part of H.R. 4422 and H.R. 4852. The Senate also passed virtually the same measure.

Today, I am once again asking for the support of my colleagues to correct the unintended consequences of the Oil Pollution Act and other Federal environmental laws as we work to eliminate the unnecessary and costly regulatory burdens placed on U.S. business that do not add any additional measure of protection to the environment or the health and safety of our citizens.

1–800 ''BUY AMERICAN'' LEGISLATION

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1995

Mr. TRAFICANT. Mr. Speaker, I rise today to reintroduce legislation to establish a toll-free, 1–800 phone number consumers can call to get information on products made in America. Last year I introduced similar legislation. Working with Republicans and Democrats on the Energy and Commerce Committee, an excellent and workable piece of legislation was crated in 1994. The bill was approved by the House last summer on a voice vote.

The legislation I am introducing today is identical to the bill that was approved by the Energy and Commerce Committee and reported to the House floor.

The legislation I am introducing today directs the Commerce Department to canvass American companies to gauge their interest in participating in a ''1–800 Buy American Program.'' After determining that there is sufficient interest, the Commerce Department is directed to contract out the program to a private company.

The toll-free number would provide consumers with information on products made in this country. Under the bill, an American-made product is any product produced or assembled in this country with at least 90 percent domestic content–the same criteria used by the Federal Trade Commission for determining whether or not a product can have a ''Made in America'' label placed on it. Only those products with a sale price of $250 or more would be included in the program. The bill would subject any companies providing false information to Federal penalties.

One of the key components of my bill is that the program would be self-financed through the imposition of a modest annual registration fee on participating companies.

I want to emphasize that my bill will not require the Commerce Department to hire more people or create a new unit. The only expense to the Department would be to prepare language for the Federal Register and to prepare bid documents. Let me reemphasize that the program will be contracted out and run by a private company.

All the program would do is provide American consumers with information on what products are made in America. When making a big purchase, most Americans want to buy American. This program will help them make an informed—and hopefully patriotic—decision.

I urge my colleagues to support the bill and sign on as a cosponsor. The text of the bill is as follows:

H.R. —

SECTION 1. ESTABLISHMENT OF TOLL FREE NUMBER PILOT PROGRAM.

(a) ESTABLISHMENT.—If the Secretary of Commerce determines, on the basis of comments submitted in rulemaking under section 2, that—

(1) interest among manufacturers is sufficient to warrant the establishment of a 3-year toll free number pilot program, and

(2) manufacturers will provide fees under section 2(c) so that the program will operate without cost to the Federal Government,

the Secretary shall establish such program solely to help inform consumers whether a product is made in America or the equivalent thereof. The Secretary shall publish the toll-free number by notice in the Federal Register.

(b) CONTRACT.—The Secretary of Commerce shall enter into a contract for—

(1) the establishment and operation of the toll free number pilot program provided for in subsection (a), and

(2) the registration of products pursuant to regulations issued under section 2,

which shall be funded entirely from fees collected under section 2(c).

(c) USE—The toll free number shall be used solely to inform consumers as to whether products are registered under section 2 as made in America or the equivalent thereof. Consumers shall also be informed that registration of a product does not mean—

(1) that the product is endorsed or approved by the Government,

(2) that the Secretary has conducted any investigation to confirm that the product is a product which meets the definition of made in America or the equivalent thereof, or

(3) that the product contains 100 percent United States content.

SEC. 2. REGISTRATION.

(a) PROPOSED REGULATION.—The Secretary of Commerce shall propose a regulation—

(1) to establish a procedure under which the manufacturer of a product may voluntarily register such product as complying with the definition of a product made in America or the equivalent thereof and have such product included in the information available through the toll free number established under section 1(a);

(2) to establish, assess, and collect a fee to cover all the costs (including start-up costs) of registering products and including registered products in information provided under the toll-free number;

(3) for the establishment under section 1(a) of the toll-free number pilot program; and

(4) to solicit views from the private sector concerning the level of interest of manufacturers in registering products under the terms and conditions of paragraph (1).

(b) PROMULGATION.—If the Secretary determines based on the comments on the regulation proposed under subsection (a) that the toll-free number pilot program and the registration of products is warranted, the Secretary shall promulgate such regulations

(c) REGISTRATION FEE.—

(1) IN GENERAL.—Manufacturers of products included in information provided under section 1 shall be subject to a fee imposed by the Secretary of Commerce to pay the cost of registering products and including them in information provided under subsection (a).

(2) AMOUNT.—The amount of fees imposed under paragraph (1) shall—

(A) in the case of a manufacturer, not be greater than the cost of registering the manufacturer's product and providing product information directly attributable to such manufacturer, and

(B) in the case of the total amount of fees, not be greater than the total amount appropriated to the Secretary of Commerce for salaries and expenses directly attributable to registration of manufacturers and having products included in the information provided under section 1(a).

(3) CREDITING AND AVAILABILITY OF FEES.—

(A) IN GENERAL.—Fees collected for a fiscal year pursuant to paragraph (1) shall be credited to the appropriation account for salaries and expenses of the Secretary of Commerce and shall be available in accordance with appropriation Acts until expended without fiscal year limitation.

(B) COLLECTIONS AND APPROPRIATION ACTS.—The fees imposed under paragraph (1)—

(i) shall be collected in each fiscal year in an amount equal to the amount specified in appropriation Acts for such fiscal year, and

(ii) shall only be collected and available for the costs described in paragraph (2).

SEC. 3. PENALTY.

Any manufacturer of a product who knowingly registers a product under section 2 which is not made in America or the equivalent thereof—

(1) shall be subject to a civil penalty of not more than $7500 which the Secretary of Commerce may assess and collect, and

(2) shall not offer such product for purchase by the Federal Government.

SEC. 4. DEFINITION.

For purposes of this Act:

(1) The term ''made in America or the equivalent thereof'' means—

(A) an unmanufactured end product mined or produced in the United States; or

(B) an end product manufactured in the United States if the value of its components mined, produced, or manufactured in the United States equals 90 percent or more of the total value of all of its components.

(2) The term ''product'' means a product with a retail value of at least $250.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or in any regulation promulgated under section 2 shall be construed to alter, amend, modify, or otherwise affect in any way, the Federal Trade Commission Act or the opinions, decisions, and rules of the Federal Trade Commission under such Act regarding the use of the term ''made in America or the equivalent thereof'' in labels on products introduced, delivered for introduction, sold, advertised, or offered for sale in commerce.

THE POSTAL PRIVACY ACT OF 1995

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1995

Mr. CONDIT. Mr. Speaker, I have today introduced the Postal Privacy Act of 1995. This legislation is intended to protect the privacy of each U.S. resident who files a change of address notice with the U.S. Postal Service.

Few people are aware that when they change their address, the Postal Service makes the information public through a program called national change of address [NCOA] NCOA has about 25 licenses—including many large direct mail companies—who receive all new addresses and sell address correction services to mailers. If you give your new address to the Postal Service, it can be distributed to thousands of mailers. When people ask ''How did they get my new address?'', the answer may be that it came from the Postal Service. People who want their mail forwarded—and who doesn't?—have no choice. File a change of address notice and your name and new address will be sold.

NCOA is a reasonable program because it saves the Postal Service and the mailing community money by making everyone more efficient. I support NCOA, but it needs one small change. People who file a change of address should be given a choice. They should have the option of having their mail forwarded without having their name and address sold to the world of direct mail advertisers. This is what the Postal Privacy Act of 1995 will do. It will give people a choice. It will not end the NCOA program.

Who might be concerned about keeping a new address private? Anyone who has fled an abusive spouse does not want the Postal Service giving out a new address. An individual who files a change of address notice on behalf of a deceased relative will not want the new address sold. Imagine sorting through the affairs of a deceased family member only to receive a mound of unwanted mail offering new products and services to that family member. Jurors in highly visible trials, public figures, and others may have a special need for privacy as might elderly people who may be more vulnerable to unwanted solicitations.

The bottom line is that everyone should have a choice about how his or her name and address is made available to others. You don't have to have a justification. It should be your decision. The Postal Service should not make this decision for you.

Recently, the Postal Service announced that it would provide some protection to individuals who have court orders protecting them against spousal abuse. This is a small step in the right direction, but it is not enough. It only protects those who have gone to the trouble and expense of obtaining a court order. Everyone should be entitled to the same option, but without the need for a court order. The Postal Service has demonstrated that it is possible to provide protection to people selectively. I want to extend the option to everyone.

There is nothing new about giving consumers a choice. The Direct Marketing Association has been a strong supporter of opt-out procedures which give individuals a choice about what type of mail they receive. The association supports its own a mail preference service that offers consumers an option. There is no reason why the Postal Service cannot do the same thing.

The Postal Privacy Act of 1995 is based on work done by the Government Operations Committee. Those who seek more information about NCOA should read ''Give Consumers A Choice: Privacy Implications of U.S. Postal Service National Change of Address Program'' (House Rept. 102–1067).

SALUTE TO FRANCIS SORRENTINO

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1995

Mr. FOGLIETTA. Mr. Speaker I rise to pay tribute to one of my constituents, Mr. Francis ''Frank'' Sorrentino, who is retiring from the Pennsylvania Department of Transportation [PennDot] after 34 years of distinguished and dedicated service.

Mr. Sorrentino, who received both his BSCE and MSCE from Drexel University in Philadelphia, has served for the past 5 years as the assistant district engineer for services in engineering district 6–0. The services unit has provided support activities for all of the PennDot design, construction, and maintenance activities in the district 6–0 jurisdiction of Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

Mr. Sorrentino has led a staff of 95 engineering technical and clerical personnel responsible for the right-of-way acquisition, utility relocation, geotechnical, survey, traffic, and municipal service functions of PennDot district 6–0.

Throughout his long career with PennDot, Mr. Sorrentino has shown leadership and dedication and a structural designer in the highway design unit, as chief project manager in the Philadelphia interstate office, as district soils engineer, and as administrator of the project management unit. He has also played a key role in the design, community coordination, and implementation of such major area highways as I–95, I–76 rehabilitation, I–476, and I–676.

Mr. Sorrentino will retire from service to PennDot on January 13 to enjoy more time with his wife Martha and three sons: Frank Jr., David, and Brian. I applaud and thank him for his commitment to Pennsylvania transportation system.

Further, I commend him for his ability, dedication, and pursuit of excellence in public service upon his retirement.

TRIBUTE TO SUPERVISOR BRADY BEVIS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 9, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to honor one of my district's most progressive elected officials, Marin County supervisor, Brady Bevis. Bevis was elected to represent the 5th Supervisorial District of Marin County in 1990. She has served the people of Novato and Marin County very well in this capacity for the past 4 years.

Brady is mother of five children and has been a resident of Marin for over 15 years.

As we celebrate Brady Bevis' years of service to this community, I wish to recognize Supervisor Bevis for her commitment to the people of Marin County, and to thank her for her long record of public service.

I was pleased to have had the opportunity to work closely with Supervisor Bevis over the last several years on important issues such as the conversion of Hamilton Field in Novato, bringing communications technology and training to the College of Marin with the Digital Village program at Indian Valley campus, fighting for Novato's cable concerns, and working to protect open space at Brookside Meadow. It has been a pleasure to work hand-in-hand with Brady. I continue to be impressed by her vision and sincere concern for others.

Brady Bevis has been a strong and vocal advocate for the city of Novato on the board of supervisors, and she has demonstrated