

Dahl family does not have this luxury, having been left incomplete on September 11th.

Most of us saw evil on that day watching the pictures of the two planes collide with the World Trade Towers in New York City. Jason Dahl almost surely saw evil in a different form. He must have seen it in the faces of the hijackers and known that it was in their hearts.

The loss of Mr. Dahl and all of the passengers aboard Flight 93 will not be forgotten—certainly not by this body. This morning, we passed a resolution calling for a plaque to be placed on the grounds of the Capitol memorializing their deaths. I would suggest that their memory will go much farther. The fact that this great building and its dome—two irreplaceable symbols of American democracy—still stand today will always be a living memorial to their sacrifice.

My prayers, Mr. Speaker, are with all of the innocent civilians who died aboard that plane, and especially Jason Dahl and his family.

### TERRORISM RISK PROTECTION ACT

SPEECH OF

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 29, 2001*

Ms. McCOLLUM. Mr. Speaker, I rise today to discuss my views on H.R. 3210, the Terrorism Risk Protection Act.

With the unexpected attacks on New York City and Washington, DC on September 11th, the United States has fought many battles in the past two months. The loss of lives, jobs, homes and businesses have had unforeseen effects on our country, and the world.

Under such circumstances, it is our duty as Americans to rise in support of our country. As a Member of Congress, it is my job to look out for the best interest of those affected by such tragedies. H.R. 3210, in its original state, did provide for the interests of Americans.

While I was supportive of the bipartisan bill as approved by the Financial Services Committee, I am very disappointed with the significant changes made by the majority leadership in the Rules Committee. Unnecessary provisions were added in an effort to open this legislation up for partisan tort reform.

The revised legislation limits the rights of a victim to seek legal action due to terrorist attacks. In addition, the restrictions include a complete ban on punitive damages, as well as non-economic damages. Such restrictions on damages will severely limit the possibility of victims to receive compensation for negligence.

The bill will force every legal action involving a terrorist-related claim into federal court even though states are the traditional arena for deciding such cases. This bill is written so broadly that its restrictions would apply to any future legal action involving terrorism, even if an insurance company were not a party to the action.

I supported a compromise in which the insurance industry was to assume appropriate financial responsibility. There is simply no need for such broad and controversial tort reform provisions to be attached to this measure.

The minority substitute, which I support, strikes the tort provisions, requires an industry

deductible, and ensures affordable and available coverage.

The underlying goal today is not only about helping the economy, and the insurance and reinsurance companies. Victim's rights should not be limited. H.R. 3210, without the Democratic substitute amendment, limits the rights of victims, and leaves who is left accountable in question.

It's true; the insurance industry faces a rough road ahead. It's true that this industry is essential to America's economy. While I do agree with the underlying concept of protecting the insurance industry, I could not vote for final passage of this legislation in its current form.

### BIPARTISAN TRADE PROMOTION AUTHORITY ACT OF 2001

SPEECH OF

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 6, 2001*

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to H.R. 3005, the so-called Bipartisan Trade Promotion Authority legislation, also known as "fast track," proposed by Ways and Means Committee Chairman Bill Thomas.

While I believe deeply in the benefits of free trade, this shortsighted bill ignores the need to protect workers and the environment in our international trade agenda. It also jeopardizes the environmental, health, and safety laws here in the United States.

I have supported a number of trade agreements negotiated by Presidents in the past, but fast track is unique. As the mechanism that authorizes the President to negotiate trade agreements, it is the one chance Congress gets to direct the objectives and the scope of the U.S. trade agenda for the next seven years. It is the primary opportunity for Congress to design trade goals that reflect American ideals for human rights, labor rights, and environmental protection.

It is outrageous that recent trade agreements have given foreign companies veto power over our regulatory authority at the local, state, or federal level. I voted against the North American Free Trade Agreement (NAFTA), in part because Chapter 11 of the agreement gave foreign companies the right to sue the United States for trade-related financial losses. The result has been devastating to California and the Thomas bill would allow the same provisions to be placed in future agreements.

It is under Chapter 11, for example, that a Canadian corporation is suing the United States seeking \$970 million in compensation because of California's decision to phase-out MTBE, a toxic gasoline additive that leaked from pipelines and storage tanks, poisoning California water supplies and rendering them unusable.

In my district, the City of Santa Monica faced MTBE contamination of its drinking water supply and has had to import more than 80% of its drinking water. Sadly, this story has been repeated in other parts of the state, as well as other parts of the country. The Canadian company, which is trying to prevent the phase-out of MTBE, is seeking \$970 million in compensation, asserting that California's

phase-out impeded its business interests and profits. The case is pending before a closed door NAFTA tribunal with no possibility of consideration or appeal in U.S. courts.

I strenuously object to any proposal that would subjugate the health and safety of American citizens to the profit goals of international corporations. I strongly believe that the U.S. should not be allowed to undermine the health, safety, and environment laws of other countries either. I have opposed efforts by U.S. trade negotiators who have acted on behalf of special interest groups to challenge foreign laws, such as those designed to protect food supplies curb smoking, and increase access to life-saving HIV/AIDS medication in developing countries.

For example, U.S. trade negotiators, acting on behalf of the pharmaceutical companies, have tried to use international trade law to challenge governments in sub-Saharan Africa that are struggling to provide affordable medicines to people suffering from the AIDS epidemic. In southern Africa as many as 1 in 4 are suffering from AIDS, more than twelve million children have been orphaned by the disease, and the overall rate of infection is eight times higher than the rest of the world. Yet, the Thomas bill completely ignores this crisis and would allow the trade challenges to continue.

Furthermore, the Thomas bill would direct the President to challenges prescription drug pricing systems that have been implemented in Canada, Europe, and other countries to keep prescription drug prices from spiraling out of control. In fact, it may even jeopardize efforts here in the United States to provide affordable Medicare prescription drug benefits to seniors.

And in addition to possibly putting our public health and safety in jeopardy, the bills shows complete indifference toward labor rights. Meekly suggesting that countries should enforce their own labor laws, the bill only promotes the perpetuation of weak labor laws that often allow the exploitation of child and slave labor, and discriminatory treatment and harassment of labor activists in violation of the five core standards of the International Labor Organization (ILO).

If we want to work toward a progressive world trading system, we should be working for a world economy that lives up to higher standards instead of sinking to lower ones.

We should be expanding and updating our negotiating agenda to reflect the dramatic changes that have taken place in just the last few years since the previous Fast Track expired in 1994. There are now new items on the table at the WTO regarding intellectual property, antitrust law, investment rules, electronic commerce, product/food labeling, and technology transfer. The United States has set new precedents by including environmental and labor standards in the trade agreement with Jordan and trade expansion measures with countries in the Caribbean and Africa. We should not be prevented from pursuing these provisions in future trade agreements.

We should be insisting on more Congressional influence and oversight over the trade agenda. Unfortunately, the Thomas bill would minimize our role and stifle any meaningful opportunity for Congress to revoke fast track if the President violates or ignores key negotiating objectives.