

Mass Retailers and the National Consumers League would oppose this legislation, and they do not.

The reason they do not is that they share the concerns that many have about product safety. They share the concerns that many have about law enforcement and they share the concerns that many have about what motivations somebody has for pulling off the product identification code from a product and then wanting to resale it.

What are they hiding from? I would suggest to my colleagues that they are hiding from the fact that there are criminal activities that take place by those who adulterate products, who change products, and they should not be allowed to do that by altering or removing these codes. That is what this legislation clearly addresses.

It is clearly needed because all the laws cited by the gentleman from Michigan (Mr. CONYERS), which are very good laws, some of which I introduced myself, do not cover the specific facts and the specific instances of removing and tampering with labels that are addressed in this bill, and that is why the legislation is supported by the AFL-CIO.

I am pleased to have their support for this legislation. It is not often that they come together and agree with manufacturers, and the United States Chamber of Commerce and consumers, but when we have that kind of collection of support, and the needs of law enforcement, we ought to take advantage of the opportunity to pass a very good bill and ignore the concerns of a very narrow, limited group of people who are not just in the gray market, which we support, but which are involved in criminal activity in the gray market, which we do not support and which this bill attacks. I urge my colleagues to support this legislation.

Mr. SCHUMER. Mr. Speaker, I rise in strong opposition to H.R. 3891, the Trademark Anticounterfeiting Act. In my view, this legislation would be devastating to consumers seeking quality products at discount prices.

H.R. 3891 will have a substantial negative impact on the U.S. economy. It will preclude millions of dollars in legitimate sales. Numerous products presently available at discount prices will disappear from discount shelves. Consumer prices will rise and jobs will be lost among retailers, distributors, and importers.

Furthermore, H.R. 3891 will place additional burdens on law enforcement and on the courts. This legislation, however, provides no funding for these additional enforcement responsibilities.

The Trademark Anticounterfeiting Act, H.R. 3891, is intended to eliminate counterfeit goods from the marketplace. I support this goal; however, we find nothing in this bill to further this goal. This legislation does not prohibit or discourage the manufacture, sale, or distribution of counterfeit goods.

The real goal of this bill is to stop the legitimate practice known as the "parallel market" or "gray market." This is a perfectly legal market where middle men buy overstock from high end retail stores, and resell the goods to discount retailers. The high end manufacturers

of these products have decided that too many consumers are buying their goods at discount stores and want to use this bill to cut off the middle men who supply discount stores.

In an effort to keep their products out of discount stores, some manufacturers place codes on the products. These codes are used to trace the product through its chain of distribution for ammunition against the distributors that sell their goods in the parallel market. The goal of these manufacturers is to control the final retail price of their products. When done explicitly, "resale price maintenance" has been plainly illegal under antitrust laws since 1908. The manufacturers use of product identification codes to cut off access to parallel markets is simply resale price maintenance in disguise.

The proponents of this bill have claimed that it will protect consumers by assisting in the recall of defective merchandise. If this is the purpose, the bill can easily be limited to products which implicate real public health and safety concerns, such as food, medicine, and products for children (like car seats and baby pajamas). Alternatively, parallel market resellers could be given some of the responsibility for enabling recalls.

But instead of these sensible, targeted approaches, the bill as written is astonishingly sweeping. It covers any product sold in the U.S.—from books to clothing to furniture. No reason whatever has been articulated for including these everyday, non-threatening products within the scope of the bill.

As a result of the broadly defined "product identification code", resellers will have no way to determine upon looking at a product which codes or markings constitute a product identification code. The language of H.R. 3891 is far too vague and it needs to be refined.

In addition, the bill addresses a problem that is already addressed by other, more comprehensive statutes. Numerous laws already regulate the marking of products which are of special concern for public safety.

Finally, H.R. 3891 would impose broad new burdens on law enforcement and the judiciary. By failing to provide a transition period, this law would render billions of dollars worth of merchandise illegal overnight. The avalanche of litigation that is likely to follow between manufacturers and resellers and between retailers and their suppliers is likely to be enormous due to the broad impact of this bill on the U.S. marketplace.

Further, this legislation criminalizes the act of decoding products and mandates the seizure and destruction of these decoded products. Presumably, the burden of investigating and prosecuting such acts will fall to our law enforcement agencies. No funding has been allocated to defray the extra burden on these agencies or to employ additional personnel.

Once again, I strongly oppose this bill. If this bill is meant to avoid counterfeiting, then it should not apply to genuine products. If this bill seeks to address the issue of consumer protection in recalls, then it should do so without granting a limited group of product manufacturers broad anti-competitive powers.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3891, as amended.

The question was taken.

Mr. FORBES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SIDNEY R. YATES FEDERAL BUILDING

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4595) to redesignate a Federal building located in Washington, D.C., as the "Sidney R. Yates Federal Building," as amended.

The Clerk read as follows:

H.R. 4595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION.

The Federal building located at 201 Fourteenth Street Southwest in the District of Columbia, and known as the Auditors Main Building, shall be known and designated as the "Sidney R. Yates Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Sidney R. Yates Federal Building".

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on January 3, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

Mr. KIM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4595 is a simple naming resolution which redesignates the Federal building located at 201 14th Street, Southwest, Washington, D.C., currently known as the Auditors Main Building, as the Sidney Yates Federal Building.

Our colleague, the gentleman from Illinois (Mr. YATES) is retiring at the end of this Congress after serving with distinction for 24 terms of office. He was first elected to Congress in 1948 and held his seat continuously but for a brief 2-year absence in 1963 to 1964. He has served as a member of the Committee on Appropriations during his terms and became chairman of the Subcommittee of Interior of the Committee on Appropriations in 1975, holding the chairmanship for 20 years.

The gentleman from Illinois (Mr. YATES) was born in Chicago, Illinois, in 1909. He attended the University of Chicago, where he earned his law degree in 1933. He commenced practice in Chicago and became the assistant attorney general with the Illinois Commerce Commission back in 1937.

The gentleman from Illinois (Mr. YATES) also served in the United States Navy from 1944 to 1946, attaining the rank of lieutenant.

This is a fitting honor for our revered colleague and I am pleased to support the bill and urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. The gentleman from Illinois (Mr. YATES) is one of our great Members, but I want to offer something to the Congress a little bit different than usual about the gentleman from Illinois. Years ago, he was a star basketball player at the University of Chicago. In fact, he played center. Today, the centers are 7 feet 2, 7 feet 5, even taller.

While he was a center at the University of Chicago, they played against the great George Mikan team, the great Hall of Famer, the first big man superstar in America, and I would say to my colleagues in the Congress of the United States, the gentleman from Illinois (Mr. YATES) played George Mikan tough.

He has made it tough all through his life for those who he competed against but he was always fair. He has been loved in every profession. He has been loved in every community. He is absolutely endeared and loved by this House.

I want to say, even though he did not have a jump shot and he was known for the old fashioned two-handed set shot, he was absolutely devastating with a hook shot with either hand, and he has taken that type of competitiveness, zeal, spirit, team work, to the Congress.

There has not been one bill dealing with arts in this country that failed to experience the fingerprints of the gentleman from Illinois (Mr. YATES). If there is a father and champion of the arts, it is the gentleman from Illinois (Mr. YATES).

Mr. Speaker, I rise in absolute support of this tribute. It is worthy. It is deserving.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I am pleased to rise to honor our longest-serving House Member, the distinguished gentleman from Illinois, Mr. SIDNEY R. YATES, by redesignating a Washington, D.C. Federal building in his name. Elected in 1948, Congressman YATES is departing this year after his 24th term. His impressive dedication to public service began after Congressman YATES had served the United States in the Navy from 1944 to 1946.

SID YATES has served on the Appropriations Committee and for nearly 20 years was known as a significant member of the panel's "College of Cardinals." He ends his career as the Ranking Member of the Interior Appropriations Subcommittee.

As Chairman of the House International Relations Committee, I commend SID for his

dedication to foreign affairs and his willingness to accommodate the administration and International Relations Committee Members.

A man whose work ethic extended above and beyond the call of duty, SID has earned a reputation as taskmaster. His hearings are among the most detailed in the House, and he always does much of his own research. On the floor, SID YATES has always demonstrated a great command of facts, and during hearings would often take the lead in examination and cross-examination of witnesses with an expertise which became legendary.

Mr. Speaker, I invite our colleagues to wholeheartedly support this bill to redesignate a Federal building located in Washington, D.C., as the SIDNEY R. YATES Federal Building. Please join with us to honor SID YATES for his 24 outstanding Congressional terms.

Mr. PORTER. Mr. Speaker, I rise in strong support of this bill. As all of my colleagues are aware, the gentleman from Illinois has worked tirelessly, throughout his extensive tenure in Congress, on numerous issues but especially on the effective management of our public lands. While this legislation provides recognition in Washington for the work that the gentleman from Illinois has done, the impact of this work is felt far beyond the beltway. His efforts can be seen in every National Park, Refuge, Wilderness, Grassland, Prairie, and Forest across the Nation.

When SID YATES first entered Congress in 1948, there were 29 million recreational visitors to our National Parks. Last year, there were over 279 million. The popularity of, and experiences provided by, these parks is due in large part to the vision of SID YATES. He knew that the number of visitors to these parks would only increase and he wanted to be sure that the Park System had the needed capacity.

I am fortunate to have served many years with SID in Congress, representing the district just north of his. He is a man that I hold in highest respect for the work he has done and the character and integrity that he has brought to this institution. He will be missed but his contributions will never be forgotten.

□ 1430

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I urge an aye vote, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and pass the bill, H.R. 4595, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to redesignate the Federal building located at 201 Fourteenth Street Southwest in the District of Columbia as the 'Sidney R. Yates Federal Building'."

A motion to reconsider was laid on the table.

RICHARD C. WHITE FEDERAL
BUILDING

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R.

3598) to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building".

The Clerk read as follows:

H.R. 3598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 700 East San Antonio Street in El Paso, Texas, shall be known and designated as the "Richard C. White Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Richard C. White Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

Mr. KIM. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3598 designates the Federal building located in El Paso, Texas as the Richard C. White Federal Building. Congressman White represented the 16th district of Texas of the United States House of Representatives for 9 successive terms from 1965 to 1983.

He was known for his dedication to public and community service. He served in the United States Marine Corps during World War II, receiving the military Order of Purple Heart. He also served in the Texas State House of Representatives from 1955 to 1958.

In 1983, after serving his ninth congressional term, Congressman White returned to his family in El Paso to resume his legal career and serve as a civic leader. He passed away in February of this year.

As a dedicated public servant of the people of El Paso, Texas this is a fitting tribute. Again, I support the bill and urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

Richard White was a former colleague from Texas who represented the 16th district from 1965 until 1983. The gentleman from Texas (Mr. REYES) who currently holds this seat, former border patrol agent and a very fine Member, is the sponsor of this bill.

Congressman White was a native Texan, University of El Paso, received his law degree from the University of Texas in Austin.

He served his country with honor and distinction. In the United States Marines stationed in the Pacific, he saw active duty and was awarded the military Order of the Purple Heart. He served on many committees in the Congress, including Arms Services, Interior, Post Office and Civil Service,