

labor laws. The United States, as a leader in the global trade community must set the example by raising the labor and environmental standards of its trading partners. In the end, it will be the United States who is called upon to provide the resources to clean-up environmental disasters.

Through their first-hand accounts, my constituents report that workers in many nations that we seek to enter into bi-lateral and multi-lateral trade agreements are subjected to exploitation, harassment and worse for exercising their rights to collective bargaining, and are forced to work under abusive conditions. For example, in our own hemisphere more than 33% of the complaints filed with the International Labor Organization's Committee on Free Association originate in the Andean region. I understand that new labor laws in Bolivia, Ecuador, Columbia and Peru undermine the right to collective bargaining, and there are scores of reports from NGO's regarding unconscionable violations of the most fundamental rights for workers and their union representatives. The AFL-CIO reports that since January 2001, more than 93 union members in Columbia have been murdered, while the perpetrators have gone unpunished.

How the United States engages in trade negotiations and its practices are crucial not only for our future, but for our democratic process. How our nation conducts itself is scrutinized world-wide, in essence, we must set the right example. Events at the recent World Trade Organization negotiations in Doha, Qatar have made this fact even more apparent. The WTO is seeking to adopt a worldwide "Investor-State Clause" in the next round of discussions. This clause was written into Chapter 11 of the North American Free Trade Agreement (NAFTA) for the purpose of protecting businesses from expropriation by foreign governments. What it has been used for, however, is completely different from its originally stated purpose.

Cases such as Methanex v. United States and its progeny are dispositive of harmful effect of the unbridled power of ill thought out provisions of trade legislation. Methane, the producer of MTBE an additive used to make gasoline burn cleaner, was leaking from a storage tank and into the water supply in California. Governor Davis acted promptly, and after further testing banned MTBE. Methanex, a Canadian Corporation, brought an action against California/United States in July 1999, not in our courts, but pursuant to NAFTA's Chapter 11 foreign investor clause. According to William Greider's October 15th article in *The Nation*, "under this provision a foreign investor can sue a national government if their company's property assets, including the intangible property of expected profits, are damaged by laws or regulations of virtually any kind." Greider further reveals that Methanex, through its Washington D.C. powerhouse law firm, used tribunal established through NAFTA, where the proceeding are secret (unless the parties agree to public disclosure).

Greider goes on, "As nervous Members of Congress inquire into what they unwittingly created back in 1993, critics explain the implications: 'Multinational investors can randomly second-guess the legitimacy of environmental laws or any other public-welfare or economic

regulation, including agency decisions, and even jury verdicts. . . . the open ended test is whether the regulation illegitimately injured a company's investments and can be construed as tantamount to expropriation, though no assets were physically taken.'"

This Chapter 11 case and many others like it are now pending and/or being heard before these arbitral panels. Methanex is seeking 970 million dollars. This is an outrage and an assault on our legal system. To add insult to injury, the drafter of the provision, now in private practice, readily admits that it was an intended consequence of NAFTA, rather an unintended consequence as most people believed it to be.

All cases finalized thus far have been either judged in favor of the business interest or settled out of court. The end result is a direct subversion of the right of people to protect from polluters the air they breathe, the water they drink, and the food they eat. In effect, this clause allows the democratic processes we hold so dear to be subverted.

Mr. Speaker, we must seek out ways to make trade compatible with conservation of the environment and by adhering to core labor and environmental standards that are both incorporated into the body of a trade agreement and enforceable.

A TRIBUTE TO MR. CAREY
RAMIREZ

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2001

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Carey Ramirez, one of the many true heroes who emerged from the devastation of September 11th.

Mr. Ramirez, a 25-year-old hospice nurse employed by the Hospice of New York and working out of the Margaret Tietz Center for Nursing Care Inpatient Hospice Unit, was on a bus, traveling to his NYU Nursing Education program at the time of the attack on the World Trade Center.

Seeing the smoke and flame, Mr. Ramirez urgently requested the bus driver to stop to allow him to investigate the situation. He was dressed in his nursing whites and carrying a stethoscope, and was anxious—like so many health care and rescue personnel—to help people in Lower Manhattan.

Mr. Ramirez, without hesitation or thought of his own well-being, found himself at the South Tower, identified himself to authorities and proceeded to look for individuals to assist. He was at 4 World Trade Center when the South Tower collapsed. With his own life in danger, he found and rescued two women, one of whom was blind.

Carey's heroic effort was captured by CNN and *People* magazine, and was also featured in U2's music video "Walk On". He was seen assisting both women—his arm locked with the arm of the blind woman, the other woman clinging to his backpack. All were covered with ash.

There were many such heroes on that terrible day. But what has impressed me about this young man is his continued unassuming

demeanor and belief that he is not a hero—just a New Yorker who put other New Yorkers' well-being ahead of his own.

In my judgement, Carey Ramirez is a hero and I am pleased and honored to recognize him today.

TAKE THE FIELD REBUILDS HIGH
SCHOOL ATHLETIC FIELDS IN NYC

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, on November 8 the House adopted the VA, HUD and Independent Agencies Appropriation Conference Report. This bill included an allocation of \$500,000 for Take the Field, a tremendously worthwhile and effective program aimed at rebuilding the outdoor athletic fields of all New York City's public high schools.

I would like to thank the distinguished Chairman of the Appropriations Committee, Mr. YOUNG, my distinguished colleague from Wisconsin, Mr. OBEY, my distinguished colleague from New York, Mr. WALSH, the Chairman of the Veterans Affairs, HUD and Independent Agencies Subcommittee, and also the Ranking Minority Member, from West Virginia, Mr. MOLLLOHAN, for their efforts in making this allocation possible.

I would also like to commend three extraordinary business and community leaders, Preston Robert Tisch, Richard Kahan and Tony Kiser, who founded this public/private partnership and have worked selflessly and relentlessly to promote its success. Thanks to their efforts, Take the Field is already off to a promising start. Seven outdoor athletic facilities—at least one in each borough—have already been rebuilt.

Take the Field is committed to rebuilding 52 of 60 outdoor facilities over a four-year period. The average cost of each field reconstruction project is \$2 million, bringing the total cost just over \$100 million. The \$500,000 allocation that this bill provides will actually provide \$2 million for Take the Field, thanks to the City of New York, which has provided this tremendous undertaking with a three to one challenge grant.

In the next few years, Take the Field can reverse more than a quarter of a century of neglect and deterioration of our public school athletic fields and provide students with access to a broad range of athletic activities that can improve their health, motivate their desire for academic excellence and keep them away from drugs and violence. The allocation contained in this bill will help accomplish this.

TRIBUTE TO SERGEANT DOUGLAS
BAUM

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2001

Mr. HUNTER. Mr. Speaker, today, as our Nation's armed forces make America proud by