

## CONSUMER WATCHDOG

**“DeFazio at his core is still a crusader for ordinary consumers and workers; his favorite role is assailing rich and powerful special interests that exploit the government and the little guy.”**

- Eugene Register-Guard, April 29, 1999

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### **In the 108th Congress (2003-2004):**

► **DeFazio has taken the lead in Congress to make schools safer by working with the Consumer Product Safety Commission (CPSC) and safety glass advocates** to effectively reverse a 1977 ruling on wired glass. Wired glass is a fire-rated glass that is installed in fire doors and windows in thousands of schools, dormitories, community centers, and other public buildings throughout the United States. Each year an estimated 2,500 American children and young adults suffer severe, often debilitating injuries after accidentally impacting wired glass. Unfortunately, wired glass is misleadingly sold in the US as both fire-rated and impact-resistant. However, even the CPSC has determined that wired glass can only withstand the impact from, at most, a five-year-old child. **DeFazio's efforts contributed to a CPSC decision to prohibit this hazardous glass in all new construction in areas where children and youths are active.**

► **In response to record gas price spikes in Oregon, DeFazio introduced H.R. 1221, the Gasoline Price Stabilization Act**, on March 12, 2003. The DeFazio legislation authorizing the President to stabilize oil and gas prices by imposing price caps or other control mechanisms; authorizes the President to tap the strategic petroleum reserve (SPR), a federal reserve of 700 million barrels of oil, to ease regional and state shortages or price increases; allows the President to release oil from the SPR to combat anti-competitive practices by foreign and domestic producers, refiners, and marketers of petroleum products; directs the Secretary of Energy to establish minimum inventory levels for producers, refiners, and marketers of crude oil, which would be similar to the requirement that public utility commissions place on electric utilities to have enough reserve capacity to keep the lights on in the event of a spike in demand; and reinstates the ban on exporting oil from Alaska.

► **DeFazio also reintroduced H.Con.Res. 290, legislation that urges the President to file a complaint at the World Trade Organization against OPEC**, and other large oil producing nations that cooperate with OPEC, for violating trade rules that prohibit quantitative limitations on the import of export of resources or products. OPEC production quotas clearly violate this trade rule. **DeFazio joined Senator Frank Lautenberg in offering even tougher legislation, H.R. 4780, that would require the administration to file a WTO case against OPEC for violating free trade rules.**

► **DeFazio continued his effort to limit the recreational fee program**, which allows agencies like the Park Service and the Forest Service to charge taxpayers for using even undeveloped trails on public lands. DeFazio offered an amendment to H.R. 2691, the Fiscal Year 2004

Department of Interior Appropriations Act, to limit the ability to impose these fees to the National Park Service. The DeFazio amendment was defeated 184-241 on July 17, 2003.

▶ **Cosponsor of several bills to address the high cost of prescription drugs and provide Medicare coverage of prescription drugs.** The bills would require companies to offer seniors on Medicare the same prices they offer their most-favored customers, enable Americans to take advantage of lower costs of drugs manufactured to FDA specifications in other countries by allowing reimportation, and requiring drugs developed with taxpayer funds be provided at a reasonable price.

▶ DeFazio has been a long time critic of corporate consolidation of the media. He is a cosponsor of a variety of bills to fight consolidation, and protect competition, localism and diversity in media. He was also an opponent of the recent FCC rules to allow further consolidation. The bills he is a cosponsor of include H.R. 218, H.R. 2462, H.R. 2502, H.J.Res. 218.

▶ DeFazio is a cosponsor of legislation, H.R. 3558, to prohibit cell phone companies from including a customer's phone number in a nationwide directory unless the consumer opts in to being included.

▶ DeFazio is a cosponsor of H.R. 2546, legislation that would allow consumers to obtain one free credit report every year in an effort to crack down on identity theft.

▶ DeFazio is a cosponsor of H.R. 1933, legislation to crack down on e-mail spam. Similar legislation, S. 877, which DeFazio voted for, was passed by the Congress and signed into law in December 2003.

▶ DeFazio is a cosponsor of H.R. 414, the Life Insurance Employee Notification Act, which requires employers to notify employees if they take out a life insurance plan on the employee. This became an issue during the wave of corporate scandals when it was discovered companies were taking out life insurance policies on low-paid, rank-and-file workers in which the company, not the employee's family, would benefit.

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**In the 107th Congress (2001-2002):**

▶ **Through his position on the Aviation Subcommittee, DeFazio renewed his push for passenger rights.** He introduced, H.R. 332, the "Aviation Consumer Right to Know Act," which would (1) require airlines to disclose all available fares and allow consumers to purchase any published fare from either the airline or a ticket agent (2) allow consumers to purchase back-to-back and hidden city tickets, (3) require airlines to disclose the number of seats available for frequent flyer travelers, (4) require airlines to disclose the reasons for a flight delay or cancellation (5) require airlines to disclose how long a plane is expected to be detained on the runway prior to departure, (6) require airlines to notify passengers of any cabin insecticide treatments, and (7) clarify that consumers may sue airlines in state court.

- ▶ During the floor debate on H.R. 2299, the fiscal year 2002 Transportation Appropriations bill, DeFazio successfully offered an amendment to provide \$720,000 to establish a toll-free airline consumer hotline at the Department of Transportation. DOT currently compiles statistics and provides a report on customer complaints, but few airline passengers know how to contact the office to get help. This phone line will provide the traveling public and the airlines with a better measure of how well the airlines are providing customer service. H.R. 2590 was signed into law on December 18, 2001.
  
- ▶ DeFazio continued his active opposition to massive airline mergers that stifle competition, including the merger between United and U.S. Airways. DeFazio introduced, along with Representative Slaughter, H.R. 761, the "Airline Merger Moratorium Act," legislation mandating a one-year moratorium on airline mergers. DeFazio testified before the House Energy and Commerce Committee about his concerns with the United/U.S. Airways merger. Pressure from DeFazio and other Members of Congress, as well as the Department of Justice, led the two airlines to abandon their proposed merger in July 2001.
  
- ▶ Authored legislation, H.R. 3952, along with Senator Ron Wyden to create a federal energy consumer advocate (the "Office of Consumer Advocacy") within the Department of Justice. The DeFazio-Wyden legislation was incorporated as Section 253 of the Senate's comprehensive energy legislation. The legislation was endorsed by the National Association of State Utility Consumer Advocates, the American Association of Retired Persons, the U.S. Public Interest Research Group, and Consumers Union.
  
- ▶ DeFazio joined Representative Walden (R-OR) in introducing legislation, H.R. 4826 and H.R. 4827, to combat so-called "wash trades." Wash trading involves selling energy at a fixed amount and cost and simultaneously purchasing the energy back at the same volume and price. This was one of the strategies exploited by Enron and others to manipulate electricity markets. The trading artificially boosts sales volumes by selling energy and simultaneously buying back the same amount of energy at the same price.
  
- ▶ Introduced legislation, H.R. 264, to repeal electricity deregulation and return the U.S. to the system that served us well for 60-plus years: a mix of public and private utilities regulated in the public interest by a mix of state and federal authorities.
  
- ▶ Reintroduced a legislative package intended to stop OPEC from manipulating world oil markets. H.Res. 27 urges the President to file a complaint at the World Trade Organization against OPEC, and other large oil producing nations that cooperate with OPEC, for violating trade rules that prohibit quantitative limitations on the import of export of resources or products.
  
- ▶ Successfully pressured the Bush Administration to release critical energy assistance through the low-income home energy assistance program (LIHEAP). Beginning in November 2001, DeFazio wrote a series of letters pointing out the dire situation Oregon families faced due to skyrocketing electricity bills. The letters requested that the Administration release \$600 million in emergency LIHEAP money appropriated by Congress in 2001-2002, but not spent

by the President. The Administration finally released a portion of this money in mid-August 2002. Oregon received \$1.6 million.

- ▶ Cosponsor of H.R. 1967, the “Gas Price Spike Act of 2001,” which imposes a windfall profits tax on oil companies so they aren’t rewarded for gouging consumers.
- ▶ Cosponsored legislation, H.R. 1468, to re-impose cost-based rates in the Western United States in response to the California deregulation fiasco.
- ▶ Author of bipartisan legislation, H.R. 57, to establish a commission to study and make recommendations with respect to the federal electoral process.
- ▶ Original cosponsor of H.R. 2831, the “Cable TV Consumers Protection Act,” legislation to re-regulate cable rates and impose a one-year freeze on rates.
- ▶ **DeFazio continued to be a leader on urging caution on genetically-modified organisms.** He drafted an amendment to the FY02 Agriculture Appropriations Bill to block the Food and Drug Administration from approving genetically engineered fish until an agency with appropriate biological expertise could study the potential environmental impacts. He also joined Representative Kucinich (D-OH) in introducing a series of GMO reform bills, including legislation to require labeling of GM foods, require safety testing, and to protect farmers from the ill-effects of GM seeds.

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**In the 106th Congress (1999-2000)**

- ▶ Led effort urging USDA to implement new national standards for organic food labeling. DeFazio was author of the legislation, approved in 1990, directing USDA to formulate national organic standard. An initial proposed regulation, released in 1997, was widely criticized. DeFazio led the successful effort to convince the USDA to redraft its proposal. The final organic regulation, which was supported by DeFazio and the organic industry, was published in December 2000.
- ▶ Author of H.R.908, the "Aviation Consumer Right To Know Act," legislation to improve consumers' access to information about delays, cancellations, frequent flyer miles, and other policies of the airline industry. The legislation was the subject of two House Aviation Subcommittee hearings in March of 1999. DeFazio also authored legislation, H.R.2051, to require the Secretary of Transportation to investigate unreasonably high air fares or inadequate air carrier competition at airports at the request of the community served by that airport.
- ▶ Author of H.R. 1312, a bill to freeze cable rates and require an FCC investigation of cable rate increases. DeFazio introduced identical legislation in the 105th Congress prompting the introduction of several bills and hearings in the House Subcommittee on Telecommunications and the Senate Commerce Committee.

- ▶ Author of H.R.2052, legislation giving the State of Oregon a formal role in cleanup decisions at Hanford. Similar legislation was included in Superfund reform legislation, H.R.1300, and approved by the House Transportation and Infrastructure Committee on August 5, 1999.

- ▶ Received the National Nutritional Foods Association 1999 Congressional Champion Award.

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### **In the 105th Congress (1997-1998)**

- ▶ Successfully led a bi-partisan coalition of 50 Members of Congress urging the U.S. Department of Agriculture to redraft regulations to implement organic labeling requirements. The Department rewrote the proposal in response to congressional and public pressure.

- ▶ Author of H.R. 2120, the "Telephone Consumer Slamming Prevention Act," a bill to prevent long distance phone companies from switching a consumer's long distance provider without written consent from the consumer. The bill was endorsed by the Oregon PCU, AARP, and the Consumer Federation of America, among others. Provisions in his bill were included in legislation approved by the House of Representatives on October 12, 1998.

- ▶ Led successful effort to end the use of compound 1080 in livestock protection collars in Oregon. Compound 1080 is an extremely dangerous poison with no known antidote. With urging from DeFazio, Oregon Governor John Kitzhaber ended a proposed pilot program to use the compound as a predator control measure in Curry County, Oregon.

- ▶ Author of H.R.2818, a bill to repeal the recreation fee program for access to public lands maintained by the Bureau of Land Management and the U.S. Forest Service. The bill replaces the fee demonstration program with a royalty on hard rock mining. DeFazio also offered amendments on the House floor to fiscal year 1999 and fiscal year 2000 Interior Appropriations bills to eliminate the program. These amendments, however, were not approved. DeFazio continues to offer the amendment each year.

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### **In the 104th Congress (1995-1996)**

- ▶ DeFazio and Colorado Republican Scott McInnis co-authored an amendment to fund alternatives to incineration to dispose of the nation's stockpile of chemical weapons.

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### **In the 103rd Congress (1993-1994)**

- ▶ A DeFazio amendment to give states that lie within 50-miles of a Superfund site enhanced standing with respect to clean-up operations at the site was included in the House Superfund reauthorization bill, H.R.3800, approved by the Public Works and Transportation Committee on August 8, 1994. The amendment would allow the State of Oregon to more closely monitor

and comment upon the clean-up operation underway at the Hanford Nuclear Reservation.

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**In the 101st Congress (1989-1990)**

▶ Author of H. R. 4156, landmark legislation setting national standards for the production and labeling of organically produced foods. H.R. 4156 was adopted as an amendment to the 1990 Farm Bill, H. R.3950. It was the only amendment adopted on the floor of the House despite opposition from the Chairman of the House Agriculture Committee. The legislation became law on November 28, 1990. (see above for further action in the 106th Congress).