

prior to a vote in relation to the Lugar amendment No. 2473 with the time equally divided and controlled in the usual form, that no second-degree amendments be in order, nor to the language proposed to be stricken prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I appreciate very much the Senator yielding for this important matter.

Mr. HARKIN. Madam President, I understand we will come in tomorrow morning and I will make my comments at that time on the Lugar amendment.

Mr. REID. Madam President, if the Senator will yield, the unanimous consent agreement didn't call for it, but the Senate will come in at 9:30 tomorrow morning, and the Senator from Iowa and the Senator from Indiana, Mr. LUGAR, will control the time.

Mr. HARKIN. There will be 1 hour for debate from 9:30 a.m. until 10:30 a.m. equally divided, and the vote will occur on the Lugar amendment at 10:30 tomorrow morning?

Mr. REID. Yes.

Mr. HARKIN. I thank the leader. I will have more to say about this tomorrow morning.

But the Lugar amendment takes away all of the programs that we have for farmers and gives them a voucher by which they can go out and purchase a whole farm revenue insurance program which will give them a guarantee of up to 80 percent. They can contribute an amount at least equal to the amount of the voucher to a risk management stabilization account, and they can redeem the voucher for cash payment and use the payment to carry out one or more risk management strategies that are sufficient to guarantee a net income from all agricultural enterprises of at least 80 percent.

That is pretty convoluted. Quite frankly, at a time when our farmers are just about at their wit's end right now to take what we carefully fashioned in a bipartisan fashion—and this is a bipartisan bill that we have on the floor—and just throw it out for an experiment, I think we just can't do that right now. That would disrupt all of agriculture and it would disrupt the markets. It would be chaos. The adoption of the Lugar amendment would just mean chaos. The markets would not know what to do. Farmers would not know what to do. Bankers would not know what to do. A farmer going in to get a loan early next year for seed and fertilizer or maybe to buy a piece of equipment or get the necessary funds to farm—that is the way people farm. They go in and get the credit. The banker says: I don't know what to do because I do not know what kind of program there is. With the Lugar amendment, they would have absolutely no idea what they would be doing.

I think the Lugar amendment is probably something you put out there

to debate and people talk about it and they think about it. Maybe you massage it around for a while, but it is not something you just do all of a sudden and leap off the deep end.

We cannot take our loan rates down to 1 percent. We cannot do away with direct payments. We can't take away all of the price supports over the next 5 years for dairy and for peanuts, sugar and everything else. That would be catastrophic.

While I applaud Senator LUGAR for his strong support—and I know it is genuine and sincere—for nutrition and nutrition programs, the way he has gone about getting the money by devastating the commodity title is in no one's best interest. It is not in the best interests of low-income families; it is not in the best interests of our farm families; and certainly it is not in the best interests of our country.

I reserve my remarks for tomorrow morning. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I ask unanimous consent to be allowed to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SESSIONS pertaining to the introduction of S. 1804 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SESSIONS. Madam President, I suggest the absence of a quorum.

Mr. PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I ask unanimous consent that the previous order with respect to the debate time on the Lugar amendment No. 2473 be modified to provide for a reduction of 10 minutes—5 minutes from each side—with the remaining provision remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we will vote at approximately 10:20 tomorrow morning, maybe 10:25.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators allowed to speak therein for a period not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MODIFICATION OF COMMERCE, SCIENCE, AND TRANSPORTATION COMMITTEE RULES

Mr. HOLLINGS. Madam President, the Senate Committee on Commerce, Science, and Transportation has adopted modified rules governing its procedures for the 107th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator MCCAIN, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

##### RULES OF THE U.S. SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

###### I. MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as he may deem necessary or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the Committee, or any Subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any Subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any Subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

4. Field hearings of the full Committee, and any Subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

#### II. QUORUMS

1. A majority of members shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies shall not be counted in making a quorum.

2. Eight members shall constitute a quorum for the transaction of all business as may be considered by the Committee, except for the reporting of a bill, resolution, or nomination. Proxies shall not be counted in making a quorum.

3. For the purpose of taking sworn testimony a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

#### III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a majority of the members being present, a member who is unable to attend the meeting may submit his or her vote by proxy, in writing or by telephone, or through personal instructions.

#### IV. BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any Subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

#### V. SUBCOMMITTEES

1. Any member of the Committee may sit with any Subcommittee during its hearings or any other meeting but shall not have the authority to vote on any matter before the Subcommittee unless he or she is a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the chairmanship, and seniority on the particular Subcommittee shall not necessarily apply.

#### VI. CONSIDERATION OF BILLS AND RESOLUTIONS

It shall not be in order during a meeting of the Committee to move to proceed to the consideration of any bill or resolution unless the bill or resolution has been filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting, in as many copies as the Chairman of the Committee prescribes. This rule may be waived with the concurrence of the Chairman and the ranking minority member of the full Committee.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in August 1991 in San Francisco, CA. A gay person was assaulted while walking in the city's

Castro neighborhood. The assailants, both 17-year-old females, were later found guilty on all counts of felony assault and hate crime violations in connection with the incident.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### IN MEMORY OF STAFF SERGEANT BRIAN CODY PROSSER

Mrs. BOXER. Madam President, on December 5, three American soldiers: Staff Sergeant Brian Cody Prosser, Master Sergeant Jefferson Donald Davis, and Sergeant First Class Daniel Henry Petithory, all members of the Fifth Special Forces Group, lost their lives near Kandahar, Afghanistan. My heart goes out to their families, their loved ones, and many friends for this sudden and unexpected loss.

Cody Prosser was from Frazier Park, a small mountain community in my home State of California, where he is remembered as an idealistic young man and natural soldier, a patriot destined for military service. He was a local hero and star athlete, known for his leadership qualities on and off the football field. Cody joined the Army's Special Forces shortly after his high school graduation, and had served his country with pride and distinction for 10 years.

Staff Sergeant Prosser paid the supreme price defending liberty and justice, and his sacrifice will never be forgotten. His name joins the ranks of other members of the armed forces who bravely died for our Nation.

As America continues to respond to the horrific events of September 11, I ask my colleagues to join me in recognizing Cody Prosser's outstanding, singular service and offering our heartfelt thanks to him and the others who gave their lives in defense of the freedoms we hold so dear.

I extend my deepest condolences and the thanks of a grateful Nation to the family he left behind, his beloved wife Shawna, his brothers Mike, Reed and Jarudd Prosser, and loving parents Brian and Ingrid.

#### NOMINATION OF JORGE L. ARRIZURIETA

Mr. ALLEN. Madam President, I rise today in strong support of President Bush's nominee to be U.S. Alternative Executive Director to the Inter-American Development Bank, Jorge L. Arrizurieta. I ask unanimous consent that letters of support for this nomination from our colleagues, Senator GRAHAM and Senator FRIST, as well as letters of support from Governor Bush of Florida, the Undersecretary of the Treasury for International Affairs, Mr. John Taylor, and the Special Assistant

to the Assistant Attorney General, Mr. Jeffrey Ross, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. ALLEN. Mr. Arrizurieta's background represents a strong combination of public service at the Federal, State, and local levels. Previously, Mr. Arrizurieta worked for five years as the Director of State Projects for our former colleague Senator Mack where he did an outstanding job. He was also appointed by Governor Jeb Bush of Florida to the Post Secondary Education Planning Commission, where he was elected Vice Chairman by his colleagues.

For the past eight years, Mr. Arrizurieta has been closely associated with corporate ventures of Mr. Wayne Huizenga, a southern Florida entrepreneur. As Vice President of Public Affairs for Huizenga Holdings, Mr. Arrizurieta has had the opportunity to meet and work with a broad variety of government and business leaders throughout the country and the Western Hemisphere. In this capacity he has worked on developing extensive business development outreach efforts in the Latin American and Caribbean region.

Aside from these commitments, Mr. Arrizurieta has devoted his time and effort to many charitable, community and business organizations, including the Make A Wish Foundation, the Florida Chamber of Commerce, La Liga Contra el Cancer, and the Florida FTAA, Free Trade Area of the Americas, initiative as a founding member of its Board of Directors.

Jorge Arrizurieta is the son of Cuban immigrants, is fluent in Spanish, and has a strong understanding of Latin American culture. His government affairs and community relations background will serve him well in a position where people and diplomatic skills are highly valued to advance the interests of the United States, and the efficacy of the bank as a political institution.

I would like to note that a misimpression may have been left by questions raised at Mr. Arrizurieta's nomination hearing before the Committee on Foreign Relations, regarding a bank on whose board he serves. I call my colleagues' attention to the very helpful letter of clarification from the Department of Justice which I have entered into the RECORD and which should resolve any questions that arose during the Committee hearing.

The nomination of Mr. Arrizurieta will come before the Committee on Foreign Relations soon. I urge my colleagues on the Committee to join me in voting to favorably report this nomination. Once the nomination has been reported from the Committee, I urge the Majority Leader to bring the nomination promptly before the Senate so that President Bush and the American people will have the benefit of Mr. Arrizurieta's strong background and