



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, MAY 7, 2002

No. 56

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ZELL MILLER, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God, we thank You for the power of intercessory prayer. Intercession changes our understanding of what and how to pray, changes our relationship with the people for whom we pray, and actually changes what happens in their lives because we pray. You are constantly seeking to enable deeper relationships and are delighted when, out of love, we come to You and pray about our loved ones and friends.

Today we focus our prayers on the spouses and families of the Senators. They are such a vital part of these leaders' lives. And yet, the very demands of being in the Senate cause strain and stress on marriage and the family. Family members bear the burden of high profile living with its lack of privacy and abundance of public scrutiny and criticism. Although the spouses are not elected to office, often constituencies place heavy responsibilities and demands on them. Keeping pace with schedules, the demands of the family, and the pressures of social calendars creates a formidable challenge.

Father, bless the Senators' spouses, the children, and extended families of parents, brothers, and sisters. We focus them in our mind's eye in this moment of intercessory prayer. Grant each one the healing help and hope that he or she needs today. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ZELL MILLER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ZELL MILLER, a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MILLER thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. In my capacity as a Senator from Georgia, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will begin consideration of the farm conference report. There is a unanimous consent agreement that there will be 12 hours of debate: 6 today, 6 tomorrow. The Senate will recess from 12:30 to 2:15 today for party conferences. The leaders at this time

are trying to decide whether there will be a vote after debate is completed today.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to consideration of the conference report accompanying H.R. 2646, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2646), to provide for the continuation of agricultural programs through fiscal year 2011, having met, after full and free conference have agreed to recommend and do recommend that the House recede from its disagreement to the amendment of the Senate and the House agree to the same with an amendment, and the Senate agree to the same; that the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of May 1, 2002, page H1795.)

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 6 hours of debate on the conference report, to be equally divided between the chairman and ranking member of the Committee on Agriculture, Nutrition, and Forestry.

The Senator from Indiana.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S3903

Mr. LUGAR. Mr. President, I will not speak at length now because we are awaiting the presence of the distinguished chairman, Senator HARKIN, who will make an opening statement, followed by my own.

Mr. REID. I ask unanimous consent the time run equally between both Senator LUGAR and Senator HARKIN during this quorum call.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LUGAR. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 107-4 AND TREATY DOCUMENT 107-5

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on May 6, 2002, by the President of the United States:

Extradition Treaty with Lithuania, Treaty Document 107-4; and Stockholm Convention on Organic Pollutants, Treaty Document 107-5.

I further ask unanimous consent that the treaties be considered as having been read the first time, that they be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed, and that the President's messages be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania, signed at Vilnius on October 23, 2001.

In addition, I transmit for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

The provisions in this Treaty follow generally the form and content of modern extradition treaties recently concluded by the United States and will replace the Extradition Treaty of April 9, 1924, between the two countries and the Supplementary Extradition Treaty of May 17, 1934. In conjunction with the

new U.S.-Lithuania Mutual Legal Assistance Treaty that took effect in 1999, the Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of the two countries. It will thereby make a significant contribution to international law enforcement efforts against serious offenses, including terrorism, organized crime, and drug-trafficking offenses.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE W. BUSH.
THE WHITE HOUSE, May 6, 2002.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Stockholm Convention on Persistent Organic Pollutants, with Annexes, done at Stockholm, May 22-23, 2001. The report of the Secretary of State is also enclosed for the information of the Senate.

The Convention, which was negotiated under the auspices of the United Nations Environment Program with the leadership and active participation of the United States, commits Parties to take significant steps, similar to those already taken by the United States, to eliminate or restrict the production, use, and/or release of 12 specified persistent organic pollutants (POPs). When I announced that the United States would sign the Convention, I noted that POPs chemicals, even when released abroad, can harm human health and the environment in the United States. The Convention obligates Parties to take measures to eliminate or restrict the production, use, and trade of intentionally produced POPs, to develop action plans to address the release of unintentionally produced POPs, and to use best available techniques to reduce emissions from certain new sources of unintentionally produced POPs. It also includes obligations on the treatment of POPs stockpiles and wastes, as well as a science-based procedure to add new chemicals that meet defined criteria.

The United States, with the assistance and cooperation of nongovernmental organizations and industry, plays an important international leadership role in the safe management of hazardous chemicals and pesticides. This Convention, which will bring over time, an end to the production and use of certain of these toxic chemicals beyond our borders, will positively affect the U.S. environment and public health. All relevant Federal agencies support early ratification of the Convention for these reasons, and we understand that affected industries and interest groups share this view.

I recommend that the Senate give prompt and favorable consideration to the Convention and give its advice and consent to ratification, subject to the

understanding described in the accompanying report of the Secretary of State, at the earliest possible date.

GEORGE W. BUSH.
THE WHITE HOUSE, May 6, 2002.

CORRECTION IN ENROLLMENT OF H.R. 3525

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 106 submitted earlier today by Senator KENNEDY.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 106) to correct the enrollment of H.R. 3525.

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and that any statements relating thereto be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 106) was agreed to, as follows:

S. CON. RES. 106

Resolved by the Senate (the House of Representatives concurring). That, in the enrollment of the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

- (1) Strike section 205.
- (2) In the table of contents of the bill, strike the item relating to section 205.

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002—CONFERENCE REPORT—Continued

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand that the conference report before the Senate is the Farm Security and Rural Investment Act of 2002. As I understand the unanimous consent agreement, there are 6 hours of debate evenly divided today and 6 hours of debate evenly divided on tomorrow.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HARKIN. Mr. President, the bipartisan farm bill conference report now before us has been approved overwhelmingly in the House of Representatives by a vote of about 2 to 1, and President Bush has pledged to sign it, calling it a significant piece of legislation and, of course, touting the great efforts we made to reach agreement.

Now we have the crucial bill before us, and the Senate has the opportunity to join the House and the President with our approval of this legislation.

The President said he wants this bill on his desk promptly, and I hope we