



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, JUNE 11, 2002

No. 76

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON S. CORZINE, a Senator from the State of New Jersey.

PRAYER

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

Dear God, think Your thoughts through us today. We want to love You with our minds and praise You with our intellects. We seek to be riverbeds for the mighty flow of Your wisdom through us. Teach us to wait on You, to experience deep calm of soul, and then to receive Your guidance. We spread out before You the decisions we must make. Thank You in advance for Your guidance. Give us the humility to trust You for answers and solutions, and then, grant us the courage to do what time alone with You has convinced us must be done. You are the author of all truth, the bottomless sea of understanding.

Send Your Spirit into our minds and illuminate our understanding with insight and discernment. We accept the admonition of Proverbs, *Incline your ear to wisdom, and apply your heart to understanding; yes, if you cry out for discernment, and lift up your voice for understanding, if you seek her as silver, and search for her as for hidden treasures; then you will understand the fear of the Lord, and find the knowledge of God. For the Lord gives wisdom; from His mouth come knowledge and understanding.*—Proverbs 2:2-6. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON S. CORZINE, a Senator from the State of New Jersey, 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 read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 11, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON S. CORZINE, a Senator from the State of New Jersey, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

SCHEDULE

Mr. REID. Mr. President, this morning the Chair will announce a period of morning business until 10:45, with the first half under the control of the majority leader or his designee and the second half under the control of the Republican leader or his designee.

At 10:45, the Senate will resume consideration of the hate crimes legislation, with 60 minutes of debate prior to a cloture vote at 11:45 a.m. So Senators would have until 10:45 a.m. today to file second-degree amendments to the bill.

The Senate will recess from 12:30 to 2:15 p.m. for the weekly party conferences.

FH UNANIMOUS CONSENT AGREEMENT—S. 2578

Mr. REID. Mr. President, I am going to make a unanimous consent request at the present time. I ask unanimous consent that immediately following the cloture vote today, regardless of the outcome of that vote, the Senate proceed to the consideration of S. 2578,

the debt limit extension; that that bill be read the third time and the Senate vote on passage of the bill without any intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, let me express my appreciation to the minority. This is something that the President desires us to do. We tried to work it out last week on the supplemental. We could not do it. This will bring it forward, as painful as it is, to increase the debt if something has to be done. The debt has been incurred, and we have to meet our obligation. That is my opinion.

I appreciate the cooperation of the Republican leadership and the members of the minority for allowing us to do this.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:45 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the majority leader or his designee.

Mr. REID. Mr. President, 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.

Mrs. BOXER. 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.

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



Printed on recycled paper.

S5319

Mrs. BOXER. Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. Seventeen and a half minutes remain on the leader's time.

ENVIRONMENTAL PROTECTIONS

Mrs. BOXER. Mr. President, I have come to the Chamber today to talk about an issue about which I have spoken before and will continue to do so until we turn around the current climate we are facing, which is a rollback of environmental protections for the American people.

It is stunning to see what has happened to environmental regulations since administrations have changed. We have, fortunately, a group called the NRDC. I have a list of all the actions that have been taken by this administration since they took over. We have seen the average of one anti-environmental action every week since this administration took over.

This chart is way too small for people to read, but it gives a sense of the situation. I have two charts like this. These are 100 rollbacks. Our Nation certainly is in a situation where we are so focused on meeting the challenges that hit us on September 11—and it is very understandable; we are so united on that—but what has happened in the course of that time is that without very much publicity, a lot of these regulations have moved forward.

We face the circumstance where if we in the Senate and those in the House who care about the environment do not speak out, I fear for the future of our country.

Why do I say that? Because when one says the word "environment," it means many things, and one meaning is health and safety. For example, when this administration believed it was not so important that arsenic was in the water, finally the people woke up to what they were doing. Then when they said it was not so important to test poor kids for lead in their blood—even though we know if a child has elevated levels of lead in his or her blood, there is going to be a serious learning problem and illness problem, even problems of death—they went too far.

It does not seem to stop them. In my State, they are against us as we are trying to protect the coastline. They are against us. They said to Florida: We will help you. But as to California, it is unbelievable. Interior Secretary Norton said people in California do not care about their coasts. Mr. President, I am here to say that is an insane statement if you look at the record.

Since the seventies, when under the Carter administration they thought they would drill, we convinced Carter not to drill. We thought that problem was over. The State has a moratorium on drilling off our shores. The fact is, we have set up sanctuaries all along the ocean. This is a terrible statement and an example of how the Bush administration is so blinded by this idea

that the environment does not matter, they will say things that do not make sense.

My colleague from Illinois is in the Chamber, and I know he wants to add to this debate. First, I want to cover one more issue before I yield to him. I want to talk about one issue. It is called the Superfund.

I think it is very interesting that the Presiding Officer, as well as Senator TORRICELLI, are two leading proponents for doing something about Superfund sites.

The word "super" is a good word: You look super fine. The word "Superfund" is not a good word because what it means is that we have sites all over this country that are filled with poison and toxins, and we need to clean up these sites.

This chart shows there are national priority list sites in every single State but one. North Dakota is the only State. New Jersey happens to have the most. Pennsylvania is third. My own State has about 104 sites, and we are second on the list.

What I want to show my colleagues—and I hope the Senator from Illinois will pick up on this—is what is happening specifically to the Superfund program, which is such a popular program in this country. It cleans up these toxic sites. A lot of people live near these sites. Children live near these sites. It makes the sites safe, and it goes after the responsible parties, the polluters, and says the polluter pays, which is the basic premise of the Superfund program.

Under Bill Clinton's administration, we saw a ratcheting up of the cleanup: 88, 87, 85, 87 sites in the last 4 years. We were all set to continue. We were a little disheartened when President Bush said he is only going to clean up 75 sites, but worse than that happened. Now they are saying they are only going to clean up 47 sites, and then 40. We are going back down. We are going back down to a level, frankly, that we have not seen in more than a decade.

This is a horrible situation. I am proud that Senator CHAFEE has joined us, and we have bipartisan legislation to reinstate the Superfund fee so polluters will pay.

I am going to show one last chart because this is so important. This idea of "polluter pays to clean up their mess" has been basic to this country for many years, since Superfund was set up in the 1980s, and it led us to a situation where the industry and the polluters were paying 82 percent of the cleanup and taxpayers only 18 percent. That was where we could not find a party or we did not have enough funds in the Superfund trust fund.

This is where we are headed under President Bush. I consider this administration the most anti-environmental that I have ever seen, frankly. I have been in Congress since 1982, with Senator DURBIN, who is about to speak. In 2003, 54 percent of the cleanup in Superfund will be paid for by taxpayers; 46

percent by the industry that polluted. This is not a good trend for the American people, for the taxpayers, and that is why we have so much support for turning this around.

I am proud to be the chair of the environmental team that Senator DASCHLE has appointed to point out the environmental record of this administration and how it is hurting the health, safety, and well-being of the American people.

Mr. DURBIN. Will the Senator yield?

Mrs. BOXER. I am happy to yield to my friend for as long as he would like.

Mr. DURBIN. I thank my friend for her leadership on the environmental issue, and I would like to get back to it, but I would like to ask the Senator to reflect with me for a minute on the larger issue, an issue of corporate responsibility, whether U.S. businesses will accept their responsibilities as part of America, their responsibility not only to their workers, their investors, and shareholders, but the consumers and America at large.

Time and time again, what we find with the Bush administration is they turn their back and ignore this issue of corporate responsibility. We now have a "Bermuda Triangle." This Bermuda Triangle is sucking in American jobs and American tax dollars as more and more corporations are moving their headquarters overseas. As they move their headquarters to Bermuda to avoid paying America's taxes, they are shirking their corporate responsibility to the United States.

When the Stanley Tool Company decided to move from the United States and put their corporate headquarters in Bermuda, did we hear any protests from this administration that they were shirking corporate responsibility? Not at all.

We saw in the paper yesterday that we now have the Norquist black list. Grover Norquist, one of the leading gurus of the Republican Party, has said he is creating a black list of those entities, organizations, and people in Washington who will not be acceptable and welcome in the Bush administration. They want their close circle of corporate friends to have entre to persuade this administration to move in the worst directions. They do not want to hear both points of view, the Norquist black list, part of this Bush administration philosophy.

It really comes through graphically on this issue of the Superfund. Who should pay for the toxic mess? The people who created the toxic mess or the taxpayers, the families of America?

What we are saying basically is if this burden is shifted to the taxpayers of America, corporate responsibility is abandoned. The corporations and businesses that create the mess should bear the burden of cleaning it up.

The Senator from California has made this point: In my State of Illinois, we have 39 sites on the Superfund list and 6 that have been formally proposed. Several others ultimately filled