

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

with PCBs, arsenic chlorinated solvents, and other harmful compounds will qualify. The Bush administration says the corporations and industries responsible for this mess should not pay for it; American families, workers, and taxpayers ought to pay for it. Where is corporate responsibility in this administration?

Mrs. BOXER. I am really pleased my friend has tied this into the bigger picture, because this particular chart shows it all. The Bush administration is moving away from corporate responsibility when it comes to cleaning up the worst toxic sites in America. They are cleaning up half the number of sites. We do not know. We cannot tell.

I am the chair of the Superfund Committee and the Environment Committee. The bottom line is, I cannot even tell whether the sites of the Senator from Illinois are going to be cleaned up because this administration is keeping that information secret.

To get to the point about corporate responsibility, having faced the Enron scandal, and continuing to face it in California, let me state what this means. It means corporations could care less about the people they serve. They tell their own employees to buy Enron stock while the insiders sell out. The shareholders were the last people they thought about. It is a lack of a corporate ethics.

When this administration writes an energy plan, they talk to these very same corporations that essentially turn their back on the American people. As my friend, Senator MIKULSKI, brought up at a meeting we both attended today, some of these corporate executives renounced their citizenship in order to get away with not paying any taxes. They leave the greatest country in the world, which gave them every opportunity to fulfill the American dream, and they throw it all away for dollars and cents.

There is little corporate ethic in America. There are some very good corporations. Why not say to those good corporations: We appreciate what you are doing; join with us. Let us get back a corporate ethic.

On the Norquist black list that my colleague referred to, I thought it was interesting when Ari Fleischer was asked about it in his press conference. He said: I have no comment because we have nothing to do with it. I found that amazing. Does he have no comment on terrorism? He has nothing to do with that. Does he have no comment when something horrible happens around the world that we have nothing to do with? Since when is it that there is suddenly silence when it comes to a black list? I think it is a political embarrassment to them.

More than that, what worries me is they are not distancing themselves from this issue. I hope in America there is room for all kinds of views. When Vice President CHENEY put together the energy plan, they did not want any views from people who had

what I would call the public interest versus the special interest. I worry about this small circle around this President that does not hear from people who may have a different view.

Mr. DURBIN. If the Senator will yield for another question, I think we should make it clear what this Norquist black list is all about. Grover Norquist is one of the conservative gurus in the Republican Party. He is now joining in what he calls his "K Street Project" with other conservatives. They are really creating a black list of people with which this administration will not deal. People who are fighting for the environment, people who are fighting for human rights, people who are trying to protect the rights of individuals to have health care, people who are trying to protect consumers will be part of the Norquist black list.

Now what the Bush administration is saying is that they really do not know that they want to comment on this. They should comment on it immediately and reject it. They ought to denounce it. This is unacceptable, whether the President is a Democratic or Republican. Every President should be open to every point of view. They may come down and reach a different conclusion, but to create a black list, as Grover Norquist has for those who are standing up and fighting and basically representing the families of America, is plain wrong.

I ask the Senator from California, do we not see this coming back at us in so many different ways? The Senator mentioned Enron, the weak stock market, and the lack of confidence in corporate America. Should we not have leadership from the White House saying we demand corporate responsibility? We do not find that, do we, in this administration response?

Mrs. BOXER. No, we do not find it. As a matter of fact, I am waiting for some indictments on the Enron case, to be honest.

Mr. DURBIN. Not one so far.

Mrs. BOXER. Not one so far. We now know because other whistleblowers are telling us that they set the pace for the energy industry. This was the biggest transfer of wealth from ordinary American families to the pockets of these people. It is extraordinary.

Overlay the whole Enron scandal and anyone can see that California was used as a cash cow to keep Enron afloat while the insiders sold their stock. I have seen videotapes of the highest executives at Enron telling the poor employees—as these top executives were unloading their stock—buy more stock. They wanted to see that the stock was artificially held up and have more people and more employees buying so they could sell out.

I look at the word "patriotism" perhaps in a different way than others. Patriotism extends to a very broad range. When I say this, I mean if you are truly patriotic and love this country, yes, you stand with this President

in the war against terror. But it extends to the way you treat people in your life, Americans who get up in the morning and work hard, single moms, people with illness who want prescription drugs. To make this the greatest country is making sure we have a strong middle class to buy the products that business makes, to be able to educate their children so this country continues to be the greatest in the world.

When you put greed ahead of the American families in this country and their rights and forget your responsibilities, where is the patriotism there?

Mr. DURBIN. Will the Senator yield?

I have met with business leaders in Chicago from good businesses, from across Illinois, and they are saying the same thing. They are ashamed of what has happened with Enron. They are ashamed of what they are seeing in this area of corporate irresponsibility. They believe they are good Americans creating profit for their shareholders and job opportunities and good products. They are looking for leadership from Washington. Usually business says, Washington, hands off, stay away from us.

Many times they are asking, What are you going to do to help us clean up the mess when it comes to accounting standards and energy regulation? We need leadership from Washington. Yet there is little or nothing coming from this administration when it comes to corporate responsibility. For the sake of this country, for the sake of the good companies in this country, those that are responsible, we need an administration that will speak out now to restore confidence to the American people in our economy, in our business structure, in our stock market. Yet the only thing we hear is the Norquist blacklist. They are going to blacklist certain people from having access to this administration if they deign to speak on behalf of consumers and average people. That sort of thing is totally unacceptable. It is an ethic we should not accept from either political party in this Nation.

I ask the Senator from California if she has heard the same thing from responsible business leaders in her State.

Mrs. BOXER. There is no doubt about it. They are embarrassed by what has happened—the corporate executives who take home millions and millions of dollars and then do not pay their taxes, corporate executives who do not care about their employees and destroy not only their employees' jobs but their pensions. It is a moment in our history where they are looking to us for leadership.

The way I tie it into the environment and health and safety is this: I showed on the floor the environmental record for 2001. This is the record for 2002. Each week, there is another plan to weaken environmental laws and protect the people. It is a terrible message to corporate America.

This chart shows the EPA budget. They eliminated the budget for graduate student research in the environmental sciences.

Look at enforcement. Good businesses welcome enforcement. If you are doing it right and the enforcers come in, you are in good shape. They cut it back, and the bad apples do not get caught.

Look at air quality, nuclear waste, endangered species, mining public lands, something my colleague is involved in, oil and gas drilling, urban sprawl.

This administration zeroed out the funding for urban parks. I would love my friend to comment on this point: 70 percent of our people live within reach of an urban park. Unbelievably, 2 weeks ago the administration sent out a press release bragging about all the grants they made from last year's money, not mentioning in this press release they have now zeroed out the funding for urban parks.

This lack of caring for the people of this country, as I see it, in terms of the environment and this kind of a record set a poor example for everyone, for business leaders. If business leaders see this administration does not really care, when it comes to the environment, about the health and safety of the people, what is the subtle message to a corporate executive? I guess: I don't have to care. I guess the bottom line is my profit.

Mr. DURBIN. I ask the Senator from California to reflect on this. It is not as if this administration cannot find money. When it comes to tax breaks for the wealthiest people in our country, they can find plenty of money. When it comes to an urban park—which is what many working families look forward to on a Sunday afternoon, whether it is in San Francisco, Los Angeles, or Chicago, a place to go with your family and enjoy yourself on Sunday afternoon—the administration says we cannot afford urban parks but we can afford a tax break so that the multimillionaires in this country can go to private clubs and can enjoy a lifestyle that involves a lot of privacy.

For the average working-class family, their lifestyle involves fun perhaps on a Sunday afternoon on the Lake Michigan shoreline or going to an urban park in and around the city of Chicago.

It really is a choice. It is not as if the Bush administration is saying there is just no money for anything. They found money when it came to tax breaks for the wealthiest people in America. When it comes to putting money into America to protect our environment, to protect for prescription drugs under Medicare, for a tax deduction for college education expenses, to give a tax break to small businesses to offer health insurance, this administration cannot see it. It casts a blind eye.

Mrs. BOXER. The point is the message it is sending, subtle or not so subtle, to corporate America, about what

is important. There is a relationship between the two.

This chart shows the clean water rule. The administration reverses a 25-year-old Clean Water Act rule that flatly prohibits disposal of mining and other industrial wastes into the Nation's waters. The EPA issued new regulations making it legal for coal companies to dump fill material—dirt, rock, and waste—from mountaintops, moving mining into rivers, streams, lakes, and wetlands.

My point is, if this administration that is charged with protecting the environment, as we are, is so callous about the quality of the water for the people of this country, the not so subtle message to corporate America is: People don't matter that much; just make your profit because we really don't care.

It is stunning. That is why I am glad my friend was here. This connection between this record, which I think is so unmindful of the needs of the American people, does translate over to short-term thinking in corporate America, to thinking that it really is not important to care about the environment, your people, or their health and their welfare reform.

Mr. DURBIN. Did we not go through this same debate on the energy bill a few weeks ago? The Senator and I were coming to the floor and saying, if you want to lessen America's dependence on foreign oil, if you want more energy security, take a look at the No. 1 consumer of oil in this country—the cars and trucks we drive. Have more fuel efficiency and fuel economy. Forty-six percent of the oil we import goes into our cars and trucks. A number of Members came to the floor and said let's improve fuel economy of cars and trucks in America to lessen our dependence on foreign oil. The corporate interests came in and said no, no change, no improvement.

What it means is, we passed an energy bill which fails to address the most basic element of developing energy security, energy independence, and a cleaner environment for America. It literally has been 17 years since we improved the fuel economy of cars and trucks. When we look at this, time and again, it is corporate irresponsibility that turns its back on the environment and energy security for this country.

As the Senator from California has pointed out, this is a pattern which is emerging through this administration. Instead of leading us toward more responsible conduct, as individuals, as families, and as businesses, they are turning their back on corporate responsibility.

I think it all comes together. I think the environmental issue plays into the energy issue and, frankly, the vote we had on the floor where, 67 to 32, the Senate rejected improving fuel efficiency in cars and trucks across America was a shameful vote. It is a vote which, frankly, we are going to have to answer for decades to come.

I ask the Senator from California, whose State has led when it comes to fuel standards and clean air and fuel efficiency, whether she believes this is all part of the same issue?

(Ms. STABENOW assumed the chair.)

Mrs. BOXER. I say to my friend, it is. It is short-term thinking. It is not good for this country. If you want to talk about patriotism, the most patriotic thing you can do, it seems to me, is drive a car that doesn't use all that foreign oil. It is very hard to get such a car, an American car particularly.

It is interesting my friend raised this because he is right. The Senate was weak on this, shamefully weak. But we did not get any help from Vice President CHENEY when, on June 18, 2001, he announced to General Motors executives that the Bush administration has no plans to pursue higher fuel efficiency standards. That set the tone.

When this administration came in, many of us did say there were so many ties to energy, so many ties to oil companies, that we were very worried. But some of us thought maybe, because of that, the administration would bend over backwards to be fair, to lean on this issue. We were sorely disappointed.

If one could sit down and really think it through, we are talking about a very unwise strategy on the part of this administration to not look ahead, to not plan for the future, to not care about your grandchildren or my grandchildren having the opportunity to see the beauty of this country; to not worry that much if the quality of the air goes down or the quality of the water; to convince yourself the environmental laws are a burden on industry. That is disproven and untrue.

My friend talks about California. We have been the leader on environmental protection. We have found when you clean up the environment you create jobs. There has been study after study. One of our best exports happens to be environmental technologies. So by turning away from a clean and healthy environment as a goal to help our people, you are also blocking a very important piece of our economy, a place where we are way ahead.

I remember when the wall fell in eastern Europe, one of my friends who went there said: The trouble is, now you can actually see the air. They had not done anything about air pollution.

I know my friend is leaving. I am about to end what I am saying. But I thank him so much for tying together this horrific anti-environmental record, the anti-environmental record of this administration, to the whole issue of corporate greed, of corporate irresponsibility. We are seeing more and more of the big corporations really turning their back on the people they are supposed to serve, frankly—their customers; the people they are supposed to help, their employees; their shareholders, just using this very shortsighted type of reasoning that this administration uses, which is get it all now and don't worry about the future.

If you take the issue of CO₂ emissions, we had a President who promised that, although he was against Kyoto, he would come up with a plan to cut those emissions back. That is the problem that causes global warming. I don't know of any respected scientists today who say global warming is not a dreadful problem. What it could do to our agricultural products, what it could do to our Nation, what it would mean for the world, is devastating.

It is not a question of panicking about it. It is a question of doing something about it. It is not that hard to do, if we set our mind to it.

This administration's Environmental Protection Agency sent a report to the United Nations where they admitted, yes, there is global warming and, yes, it is caused by human beings, and, yes, it is bad. Now this administration, this President, is backing away from his own administration, what they said. He said: Gee, I really don't agree with that "bureaucracy."

I don't get it. This is his Environmental Protection Agency. And the thrust of the report, even though it admitted there were problems, basically said there are these problems but we have to learn to live with them.

I do not understand why people go into Government, would join the Environmental Protection Agency, would run for President or the Senate or the House to say: "You know, it's a problem." And throw up their hands.

That is not what we are about. Our job is to find solutions to problems, to lay those problems out. I know the Senator who is in the Chair is taking the lead in finding solutions to the problem of the high cost of prescription drugs, not only for our seniors but for all of our citizens. She is working long and hard on that, day in and day out, and with her leadership and that of others in the Senate, we are going to come up with a good plan.

I know our leader, TOM DASCHLE, is going to come up with a very good plan that we can all back, on all fronts, dealing with Medicare but also dealing with the pricing of prescription drugs.

You could throw up your hands and just say, "Isn't this awful, prices are going up," and walk away. Why would we deserve to be here if we took that attitude? Why do we deserve to be here if we do not protect people's health—by getting them prescription drugs, but also preventing the health problems that you get when you have dirty air and water and high levels of arsenic and high levels of lead in children's blood.

It is one thing to react at the end of it when they have these illnesses. We need these pharmaceuticals. It is another thing to prevent these problems because many come from a very unhealthy environment.

I am sorry to say that this administration's record in 2001—and let's show 2002—an average of once a week, coming up with an anti-environmental rule, rolling back a pro-environmental,

prohealth rule. This record is shameful. I think it is only because we have been so focused, as we have to be, on other issues, that we have not, as Americans, stood up to say this is a terrible circumstance.

I will show the Superfund. I will leave with that one more time, to show the number of sites they are cutting back on the Superfund. Remember, in California 40 percent of Californians live within 4 miles of a Superfund site. I am sure, Madam President, if you examine the Superfund sites in your State—you have many, as unfortunately many of us do, and we will give the exact number later—you will see what is happening. There is a walking away from the responsibility to clean up these sites, which means these sites will remain very dangerous.

We have a site in New Jersey that has become infamous because the wildlife there is turning bright colors from the dioxin that is in the soil, the arsenic that is in the soil, the dangerous chemicals that are in the soil. The EPA will not tell us, Madam President, from which of your sites they are walking away. We are trying desperately to get the information.

Senator JEFFORDS, who is a man of tremendous patience, I can tell you, started trying to get the information in March. We sent a letter and said that we now see you promised to clean up 75 sites. Now you say it is only 47. That is down from 87 sites under the last administration. Tell us, pray tell, which sites are you abandoning? Our people have a right to know. It impacts their lives; it impacts the lives of their children; it impacts the property values in the community. Just tell us which sites you are not going to clean up.

We found in the hearing we held that, in fact, a message went out to all the employees at EPA not to talk to anyone. Don't tell Senators which sites are off the list; don't tell newspapers; refer all the calls to our communications people.

The penchant for secrecy in this administration is growing to be alarming. We couldn't find out who sat in on Vice President CHENEY's meeting when they drew up this energy bill. We had to go to court to find out. Now we know. It was the special interests that wrote that. We know what happens then.

That is not the kind of America we want. We want an America where everyone sits around the table—people from the environmental community, people from the business community, people from the labor community, people from the management community. That is the way we are going to have an America that works for everyone—not when we leave out people with whom we don't agree.

I represent a State which is very diverse in thinking. We go from very liberal to very conservative and everything in between. If I just sat with the people who voted for me, that would be a huge mistake for me; plus, it would be unfair and wrong.

We need to sit with people with whom we don't always agree. That is why this Norquist blacklist is so upsetting, as Senator DURBIN said. If we put a little X on the forehead of people who do not agree with us, and we put them on a blacklist and we never talk to them, what kind of America is this going to be? It is going to be an extremist America—an America that doesn't reflect the values of the American people.

One of the values of the American people is a clean and healthy environment. I hope people will educate themselves to the fact that we cannot find out which Superfund sites are not going to be cleaned. I hope people will understand the danger they face if this continues.

I pledge today to continue to come to the Chamber to talk about this environmental issue, to fight for the Superfund Program, and to fight for clean air and clean water. We are going to take this case to the American people.

I thank the Chair very much. I yield the floor.

THE PRESIDING OFFICER. The time controlled by the majority has expired. The remaining time until 10:45 is controlled by the minority leader.

Mrs. BOXER. Madam President, 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. THOMAS. 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. THOMAS. Madam President, I ask unanimous consent to speak in morning business.

THE PRESIDING OFFICER. The Senator may proceed.

Mr. THOMAS. I thank the Chair.

ROLE OF THE FEDERAL GOVERNMENT

Mr. THOMAS. Madam President, we always have different kinds of things to talk about and issues that are before us. That is our job, of course, to deal with the issues. There is no end to the number of issues that come here. We focus on them, as we should. In addition to that, however, it seems to me that it is appropriate from time to time that we focus a little bit on the appropriate role of the Federal Government.

What is the appropriate role of Government spending? I understand the pressures that come from wanting to do something about every problem, partly because we do want to do something about every problem, and partly because of the politics of it. Now we find ourselves getting more and more into the kind of setting, a kind of culture, if you please, where, as the Federal Government continues to grow, every issue that arises—at whatever the level—the first request is let us get