

# ORDER FOR FOREIGN RELATIONS COMMITTEE TO REPORT

Mr. REID. I ask unanimous consent that the Foreign Relations Committee be authorized to report an executive treaty on Friday, September 6, 2002, from 10 a.m. to 11 a.m., notwithstanding the adjournment of the Senate.

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

## JOHN F. KENNEDY CENTER PLAZA AUTHORIZATION ACT OF 2002

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H.R. 5012, just received from the House and which is now at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5012) to amend the John F. Kennedy Center Act to authorize the Secretary of Transportation to carry out a project for construction of a plaza adjacent to the John F. Kennedy Center for the Performing Arts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

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

The bill (H.R. 5012) was read the third time and passed.

## THOMAS E. BURNETT, JR. POST OFFICE BUILDING

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5207, just received from the House and which is now at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5207) to designate the facility of the United States Postal Service located at 6101 West Old Shakopee Road in Bloomington, Minnesota, as the "Thomas E. Burnett, Jr. Post Office Building".

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER (Mr. REID). The Senator from Minnesota.

Mr. DAYTON. Mr. President, I join with my colleague, the senior Senator from Minnesota, Mr. WELLSTONE, who has introduced this legislation to honor Thomas E. Burnett, Jr., a true hero who gave his life on September 11 on the flight that was returning to Washington to cause enormous destruction to either this building perhaps or the White House. No one will ever know for sure. What we do know is the plane was prevented from its intended destructive course by the heroism of Mr. Burnett and others who were on that flight. We know that be-

cause on three or four occasions he called his wife, Deena. He spoke with her on a cell phone and communicated his intention and the intention of other passengers to intervene and wrest control of the plane from the hijackers who had commandeered that plane.

It was an act of enormous courage. It saved hundreds, perhaps thousands of lives, most likely in our Nation's Capitol. Tragically, it cost Mr. Burnett and the other passengers on that flight their lives. All of us in this body owe a debt of unspeakable gratitude to those incredibly courageous men and women.

I had occasion to visit Mr. and Mrs. Thomas Burnett, Sr., the parents of Mr. Burnett, in Minnesota to express our gratitude and share briefly the enormous grief they bear, as well as the grief of Mr. Burnett's wife and three children, which they will carry for the rest of their lives.

In a few minutes, we will pass this act to name the post office in Mr. Burnett's honor. Again, I thank Senator WELLSTONE, my senior colleague, for his thoughtful initiative in this regard, and I thank the Members of the Senate who I anticipate will vote in support of this measure. It is such a small measure of our eternal gratitude to this brave man. May he rest forever in peace and in the annals of the great heroes of this country.

I yield the floor.

The bill (H.R. 5207) was read the third time and passed.

Mr. DAYTON. Mr. President, I move to reconsider the vote, and to lay that motion on the table.

The motion to lay on the table was agreed to.

(Mr. DAYTON assumed the Chair.)

## JOSEPH CURSEEN, JR. AND THOMAS MORRIS, JR. PROCESSING AND DISTRIBUTION CENTER

Mr. REID. I ask unanimous consent that the Senate proceed to H.R. 3287, recently received from the House, and now at our desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3287) to redesignate the facility of the United States Postal Service located at 900 Brentwood Road, NE, in Washington, DC, as the "Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center."

There being no objection, the Senate proceeded to the immediate consideration of the bill.

Mr. REID. These two individuals were killed by anthrax. They worked at the post office on Brentwood Road, northeast Washington. Their fellow employees felt it was appropriate to name this facility, when it reopens, after them. It is very appropriate that it be done.

Mr. REID. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD without intervening action or debate.

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

The bill (H.R. 3287) was read the third time and passed.

Mr. DASCHLE. Mr. President, I am pleased the Senate has passed H.R. 3287/S. 2907, a bill to rename the Brentwood postal facility after Joseph P. Curseen, Jr. and Thomas L. Morris, Jr. I can think of nothing more appropriate to honor the memory and tireless service of these two men. Our action today clears the way for the President to sign the bill into law. I especially recognize Celeste Curseen and Mary Morris. While nothing can erase the suffering of the Morris and Curseen families, I hope that the building will stand as a permanent reminder of the ultimate sacrifice made by Thomas Morris and Joseph Curseen.

It has been said that "neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds." On October 15, 2001, that list was expanded when an anthrax-tainted letter was opened in my office. We later learned that its spread was far greater than first expected. A second letter addressed to the Senator from Vermont, Mr. LEAHY, was discovered weeks later. The Hart Senate Office Building was closed for more than three months. It took nearly six months to remediate and renovate my own office in that building. In the end, nearly a dozen people nationwide contracted inhalation anthrax, and five people, including Thomas Morris and Joseph Curseen, died as a result of this senseless act of bioterrorism.

Today, nearly a year later, the Brentwood facility where the letter was processed remains closed, with plans underway for a complete remediation and reopening of that building. Never again can anyone take the delivery of their mail for granted.

My staff and I feel a special kinship with the postal workers and others affected by these attacks. While the uncertainty and horror of October 15—the day the letter addressed to me was opened in my office—and the ensuing months were very real for us, the suffering of those struck by the disease was even greater. We can only imagine the pain experienced by Thomas Morris, Joseph Curseen, and their families, pain shared by the families of Robert Stevens, Kathy Thi Nguyen, and Ottilie Lundgren, who also lost their lives as a result of this terrorist act. Fortunately, LeRoy Richmond, Norma Wallace, "George Fairfax," David Hose, and Ernesto Blanco survived their battles with inhalation anthrax, but we know how terrifying their experience must have been and that they continue to suffer the physical and emotional after-effects. Still others—including three postal workers—dealt with the fear and pain associated with the cutaneous form of the disease.

Postal workers are some of America's quiet heroes. They are on the front lines of the war on terrorism here at

home—keeping Americans safe and keeping all of us connected through the U.S. mail. Ask many of them, and they will probably say they are just “doing their job.” But we know it is more than that, and today we recognize their hard work and diligence by honoring two of their fallen comrades. The Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center will forever stand as a memorial to their sacrifice in the line of duty.

#### CONGRATULATING LANCE ARMSTRONG

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 315, and the Senate then proceed to its consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

The resolution (S. Res. 315) congratulating Lance Armstrong for winning the 2002 Tour de France.

There being no objection, the Senate proceeded to the immediate consideration.

Mr. REID. I ask consent that the resolution and preamble be agreed to, the motion to reconsider be laid upon the table, and any statements regarding this matter be printed in the RECORD.

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

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 315

Whereas Lance Armstrong completed the 2,036-mile, 20-day course in 82 hours, 5 minutes, and 12 seconds to win the 2002 Tour de France, 7 minutes and 17 seconds ahead of his nearest competitor;

Whereas Lance Armstrong's win on July 28, 2002, in Paris, marks his fourth successive victory of the Tour de France, a feat surpassing all cycling records previously attained by an American cyclist;

Whereas Lance Armstrong displayed incredible perseverance, determination, and leadership to prevail over the mountainous terrain of the Alps and Pyrenees, vast stretches of countryside, and numerous city streets during the course of the premier cycling event in the world;

Whereas Lance Armstrong is the first cancer survivor to win the Tour de France;

Whereas in 1997, Lance Armstrong defeated choriocarcinoma, an aggressive form of testicular cancer that had spread throughout his abdomen, lungs, and brain, and after treatment has remained cancer-free for the past 5 years;

Whereas Lance Armstrong's bravery and resolution to overcome cancer has made him a role model to cancer patients and their loved ones, and his efforts through the Lance Armstrong Foundation have helped to advance cancer research, diagnosis, and treatment, and after-treatment services;

Whereas Lance Armstrong has been vital to the promotion of cycling as a sport, a healthy fitness activity, and a pollution-free transportation alternative; and

Whereas Lance Armstrong's accomplishments as an athlete, teammate, father, hus-

band, cancer survivor, and advocate have made him an American hero: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Lance Armstrong and his team on his historic victory of the 2002 Tour de France;

(2) commends the unwavering commitment to cancer awareness and survivorship demonstrated by Lance Armstrong; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Lance Armstrong.

#### ORDERS FOR MONDAY, SEPTEMBER 9, 2002

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 12 noon, Monday, September 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 1 p.m., with Senators permitted to speak for up to 10 minutes each, 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; that at 1 p.m. we proceed to executive session and vote on Executive Calendar No. 889; that any statements thereon appear at the appropriate place in the RECORD, and the President be adequately notified of the Senate's action; and the Senate return to legislative session and resume consideration of the Homeland Security Act, with no intervening action or debate.

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

Mr. REID. I ask unanimous consent that it be in order to ask for the yeas and nays on the nomination.

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

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient.

The yeas and nays are ordered.

#### PROGRAM

Mr. REID. The next rollcall vote will be on the nomination of Kenneth Marra of Florida to be a U.S. district judge for the Southern District of Florida, at approximately 1 p.m. on Monday.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MERCURY REDUCTION ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 553, S. 351.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 351) to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting the use of mercury fever thermometers and improving collection, recycling, and disposal of mercury, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Strike the part printed in black brackets and insert in lieu thereof the part printed in italic.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the “Mercury Reduction and Disposal Act of 2001”].

#### SEC. 2. FINDINGS.

[Congress finds that—

(1) mercury is a persistent and toxic pollutant that bioaccumulates in the environment;

(2) according to recent studies, mercury deposition is a significant public health threat in many States throughout the United States;

(3) 40 States have issued fish advisories that warn certain individuals to restrict or avoid consuming mercury-contaminated fish from affected bodies of water;

(4) according to a report by the National Academy of Sciences, over 60,000 children are born each year in the United States at risk for adverse neurodevelopmental effects due to exposure to methyl mercury in utero;

(5) studies have documented that exposure to elevated levels of mercury in the environment results in serious harm to species of wildlife that consume fish;

(6) combustion of municipal and other solid waste is a major source of mercury emissions in the United States;

(7) according to the Mercury Study Report, prepared by the Environmental Protection Agency and submitted to Congress in 1997, mercury fever thermometers contribute approximately 17 tons of mercury to solid waste each year;

(8) the Governors of the New England States have endorsed a regional goal of “the virtual elimination of the discharge of anthropogenic mercury into the environment”;

(9) mercury fever thermometers are easily broken, creating a potential risk of dangerous exposure to mercury vapor in indoor air and risking mercury contamination of the environment; and

(10) according to the Environmental Protection Agency, the quantity of mercury in 1 mercury fever thermometer, approximately 1 gram, is enough to contaminate all fish in a lake with a surface area of 20 acres.

#### SEC. 3. MERCURY.

(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

#### “SEC. 3024. MERCURY.

“(a) PROHIBITION ON SALE OF MERCURY FEVER THERMOMETERS EXCEPT BY PRESCRIPTION.—Effective beginning 180 days after the date of enactment of this section—