

“(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State law (including any State liability law).

“(e) REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out this section.”

(b) FUNDING.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by adding at the end the following:

“(8) The voluntary public access program under section 1240Q, using, to the maximum extent practicable, \$50,000,000 in each of fiscal years 2003 through 2007.”

SEC. 4. PREVENTION OF EXCESS BASE ACRES.

Section 1101(g)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(g)(2)) is amended by striking subparagraph (C).

SECTION-BY-SECTION SUMMARY—VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM OF 2003

SEC. 1. Title: “Voluntary Public Access and Habitat Incentive Program of 2003”.

SEC. 2. Findings: Describes—

(1) the importance of wildlife-related recreation of the U.S. economy;

(2) the growing demand for outdoor recreation activities such as hunting, fishing, and wildlife watching;

(3) the increasingly limited opportunities for the public to access private land;

(4) the modest hunter access programs begun in some states; and

(5) the need to identify WTO-compliant means of supporting farm income in the future.

SEC. 3. Establishes the “Voluntary Public Access and Habitat Incentive Program of 2003” and provides \$50 million in Commodity Credit Corporation funds annually (2003–07) to States for the purpose of encouraging owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by the States. Priority for funding under the program is given to those States that propose—

(1) to maximize participation by offering a program whose terms are likely to meet with widespread acceptance among landowners;

(2) to ensure that land enrolled under the State program has appropriate wildlife habitat;

(3) to strengthen wildlife habitat improvement efforts on land enrolled under the Conservation Reserve Enhancement Program; and

(4) to use additional Federal, State, or private resources in carrying out the program.

Clarifies that nothing in the bill preempts a State law (inclosing any State liability law).

SEC. 4. Repeals Sec. 1101(b)(2)(C) of the 2002 Farm Bill, a provision that USDA has interpreted to require that land enrolled under any State conservation program that prohibits the production of a crop be removed from a farm’s acreage base for purposes of federal farm program benefits.

Mr. HARKIN. Mr. President, I am pleased to join Senators CONRAD, ROBERTS and others in introducing the Voluntary Public Access and Wildlife Habitat Incentive Program Act of 2003. This bill offers an excellent opportunity to help conserve wildlife habitat, increase the amount of land available for outdoor recreational activities, and help farmers and ranchers.

Hunting and other outdoor activities are very popular and are an important part of our country’s heritage. Unfortunately, the shortage of public land in some States limits the ability of people

to enjoy these activities. Providing incentives to increase public access to private lands can enhance outdoor recreational opportunities and help rural economies.

In many rural areas businesses associated with wildlife recreation, such as sporting goods stores, campgrounds, and motels and hotels, are an important part of the economy. By increasing the lands available for outdoor recreation, not only will more local residents be able to enjoy this activity, but we will also encourage more people to visit rural areas, bringing additional revenue to these rural communities. When hunting, bird watching or hiking on accessible lands, visitors stay in local lodging, purchase goods in stores and eat in restaurants. The money generated from these activities is good for rural economies.

In many States, such as Iowa, many farmers and landowners have traditionally granted hunters and other outdoor recreationists permission to use their land when asked. This bill will help compensate owners and operators of farm and ranch land for their generosity and also encourage more of them to provide such access to their land. And, of course, this bill will benefit wildlife by encouraging landowners and operators to maintain, increase and improve habitat for wildlife.

In States access programs now operating, information listing enrolled private land is often readily available to allow recreationists to access the land without the need to bother the owners to ask for permission. Many existing programs also have the very important benefit of reducing the liability of landowners and operators in case of injury to people using their land. State programs also help ensure enforcement of hunting and other regulations and help landowners and operators posts signs and information.

Currently at least 13 States have public access programs that would be eligible for funds from this bill. While Iowa currently does not have a program, there is great interest in starting a program, and I believe this bill will enable Iowa to start one. This bill provides flexibility to allow States to design programs to meet the particular needs and interests of landowners and recreationists in each State while at the same time ensuring that the goals of increasing wildlife habitat and available lands for public recreation are met.

I am proud to cosponsor this bill and urge my colleagues to support it.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 263—HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON THE OCCASION OF ITS 30TH ANNIVERSARY

Mr. GRASSLEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 263

Whereas the Drug Enforcement Administration (DEA) was first created by executive order on July 6, 1973, merging the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first Administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973 the men and women of the DEA have served our Nation with courage, vision and determination, protecting all Americans from the scourge of drug trafficking, abuse, and related violence;

Whereas between 1986 and 2002 alone, DEA agents seized over 10,000 kilograms of heroin, 900,000 kilograms of cocaine, 4,600,000 kilograms of marijuana, 113,000,000 dosage units of hallucinogens, and 1,500,000,000 dosage units of methamphetamine, and made over 443,000 arrests of drug traffickers;

Whereas DEA agents continue to lead task forces of Federal, State, and local law enforcement officials throughout the Nation, in a cooperative effort to stop drug trafficking and put drug gangs behind bars;

Whereas throughout its history many DEA employees and members of DEA task forces have given their lives in the defense of our Nation, including: Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace, Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Richard E. Fass, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, and Elton Armstead;

Whereas many other employees and task force officers of the DEA have been wounded or injured in the line of duty; and

Whereas in its 173 domestic offices and 78 foreign offices worldwide the over 8,800 employees of the DEA continue to hunt down and bring to justice the drug trafficking cartels that seek to poison our citizens with dangerous narcotics: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Drug Enforcement Administration on the occasion of its 30th Anniversary;

(2) honors the heroic sacrifice of those of its employees who have given their lives or been wounded or injured in the service of our Nation; and

(3) thanks all the men and women of the Drug Enforcement Administration for their past and continued efforts to defend the American people from the scourge of illegal drugs.

Mr. GRASSLEY. Mr. President, it is with great pride that I honor and congratulate the Drug Enforcement Agency on its 30th Anniversary. This is an important milestone for the DEA and for our country. Over the last thirty years the men and women of the DEA have worked in communities around the Nation to improve the quality of life for all Americans.

The Drug Enforcement Agency was established on October 4, 1973, soon after John R. Bartles, Jr., was confirmed by the Senate as the DEA's first Administrator. Since then, the men and women of the DEA have continued to serve our Nation with courage and dedication in the face of great odds.

In recognition of this thirty year milestone, it is fitting that we pay tribute to the work and sacrifices of the men and women of the DEA and also acknowledge the organizations many accomplishments.

Currently the DEA operates 173 domestic offices and 78 overseas offices with over 8,800 employees. The DEA continues to lead task forces throughout our Nation's communities in a cooperative effort to control both the consumption and flow of illegal drugs.

Between 1986 and 2002, DEA agents seized over 10,000 kilograms of heroin, 900,000 kilograms of cocaine, 4,600,000 kilograms of marijuana, 113,000,000 dosage units of hallucinogens, and 1,500,000,000 dosage units of methamphetamine, and made over 443,000 arrests of drug traffickers.

Let me also express my deepest thanks to the DEA for their work and commitment to protecting the communities of Iowa. Although Interstates 80 and 35 cross Iowa providing a ready smuggling route for many drug trafficking organizations, their work has had a tremendous effect on our efforts to squeeze the flow of illegal narcotics through the state. During 2002 the DEA participated in 28 highway interdictions in Iowa, leading to the seizure of approximately 56 kilograms of cocaine, 40.5 pounds of methamphetamine, 2,075 pounds of marijuana, and nearly \$1.9 million in cash. Additionally they assisted in the seizure of 871 clandestine laboratories.

Throughout its history, the DEA has proven steadfast in their commitment to bringing drug traffickers to justice. Their service to our country has indeed made a tremendous difference in our nation's communities. However, these accomplishments did not come without a price. Many men and women of the DEA have given their lives and many others wounded and injured in the defense of our Nation.

I am pleased to submit a resolution honoring the men and women of the DEA on their 30th anniversary for their efforts to defend the American people from illegal drugs. I encourage my colleagues to join with me in congratulating and honoring the men and women of the DEA for their many accomplishments and sacrifices throughout their first thirty years. I have every confidence that these men and women will continue in that same tradition of excellence. To those in the DEA both past and present, I offer my sincerest gratitude for your courage, dedication, and service.

SENATE CONCURRENT RESOLUTION 79—EXPRESSING THE SENSE OF CONGRESS THAT THE PRESIDENT SHOULD SECURE THE SOVEREIGN RIGHT OF THE UNITED STATES OF AMERICA AND THE STATES TO PROSECUTE AND PUNISH, ACCORDING TO THE LAWS OF THE UNITED STATES AND THE SEVERAL STATES, CRIMES COMMITTED IN THE UNITED STATES BY INDIVIDUAL WHO SUBSEQUENTLY FLEE TO MEXICO TO ESCAPE PROSECUTION

Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. DOMENICI, Mr. KYL, Mr. CAMPBELL, and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 79

Whereas, under the Extradition Treaty between the United States of America and the United Mexican States, signed at Mexico City May 4, 1978, and entered into force January 25, 1980 (31 UST 5059) (hereafter the "Extradition Treaty"), Mexico has refused to extradite unconditionally to the United States fugitives facing capital punishment;

Whereas the Mexican Supreme Court ruled in October 2001, that life imprisonment violates the Constitution of Mexico, and Mexico has subsequently repeatedly violated the Extradition Treaty by refusing to extradite unconditionally criminals who face life sentences in the United States;

Whereas numerous individuals have committed serious crimes in the United States, fled to Mexico to avoid prosecution, and have not been brought to justice in the United States because of Mexico's interpretation of the Extradition Treaty;

Whereas these individuals include the persons responsible for the April 29, 2002, murder of Deputy Sheriff David March, the July 17, 2000, killing of Officer Michael Dunman, the August 29, 1998, murder of 12 year old Stephen Morales, the April 9, 1999, attempted murder of Anabella Van Perez and the subsequent August 26, 1999, murder of her father, Carlos Vara, and the December 22, 1989, murder of Mike Juan;

Whereas attorneys general from all 50 States, the National League of Cities, and numerous elected officials, municipalities, and law enforcement associations have asked the United States Attorney General and the Secretary of State to address this extradition issue with their counterparts in Mexico;

Whereas United States Government officials at various levels have raised concerns about the extradition issue with their counterparts in Mexico, including presenting a Protest Note to the Government of Mexico objecting that Mexico's interpretation of the Extradition Treaty is "unsupported by the Treaty" and effectively "viscerates" it, with few positive results; and

Whereas the Extradition Treaty, as interpreted by Mexico, interferes with the justice system of the United States and encourages criminals to flee to Mexico; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the President should address Mexico's failure to fulfill its obligations under the Extradition Treaty between the United States of America and the United Mexican States, signed at Mexico City May

4, 1978, and entered into force January 25, 1980 (31 UST 5059), by renegotiating the treaty or taking other action to ensure that the possibility that criminal suspects from Mexico may face capital punishment or life imprisonment will not interfere with the unconditional and timely extradition of such criminal suspects to the United States.

Mrs. FEINSTEIN. Mr. President, I rise to submit S. Con. Res. 795, a Senate concurrent resolution calling upon the President to address Mexico's failure to fulfill its obligations under the U.S.-Mexico Extradition Treaty, which entered into force in January 1980. I am delighted that Senators BROWNBACK, BILL NELSON, HUTCHISON, BINGAMAN, DOMENICI, KYL, and CAMPBELL join me in submitting this resolution.

Specifically, this resolution calls upon President Bush to renegotiate the Extradition Treaty or take other actions to ensure that the U.S. can extradite serious criminals back to the U.S. for appropriate prosecution and punishment.

In my view, this treaty—at least as interpreted by Mexico—is simply not working as intended. While the U.S. is currently attempting to extradite hundreds of fugitives from Mexico, since 1996, Mexico has sent back only a relative handful every year. For example, in fiscal years 1996 through 2002, Mexico only extradited an average of 14 individuals to the U.S. each year. Even worse, Mexico's recent interpretation of this treaty has effectively eliminated our ability to extradite persons charged with serious crimes who flee to Mexico to avoid prosecution in the United States.

This interpretation has jeopardized the safety of both American and Mexican citizens, undermined the integrity of our criminal justice system, denied basic rights and closure to crime victims, and allowed serious felons to escape just punishment. The result is that Mexico is becoming a safe haven for hard-core criminals. If you steal a car in the U.S., Mexico will return you to face prosecution and punishment. If you kill the driver, Mexico will protect you.

The problem in a nutshell is that, since October 2001, Mexico has read the U.S.-Mexico Extradition Treaty as barring the extradition to the United States of anyone who faces a potential life term. In other words, if a person commits a serious crime in the U.S.—one that could subject them to a maximum life term—and heads south, Mexico will refuse to extradite that person to the U.S. to face prosecution and punishment in this country.

While it has been difficult to determine the full scope of the problem, I am informed by prosecutors in California that, as a result of Mexico's interpretation of the Extradition Treaty, there are as many as 350 people who have committed murder and other serious crimes in California who have either not been extradited or have been effectively rendered non-extraditable.