

soon to allow the Secretary of the Interior and the State of Wyoming to come to some agreement in finding a value for those lands by using an appraiser upon which they agree and then work out an arrangement to either trade those lands for other Federal lands outside the park, trade them for mineral royalties, or sell but come to some financial arrangement.

I hope we can get some support for something that will be useful to Grand Teton National Park as well as the State of Wyoming.

I think our time has expired. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SUPPLEMENTAL APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER (Mr. KYL). Under the previous order, the Senate will now proceed to the consideration of S. 1077, which the clerk will report.

The senior assistant bill clerk read as follows:

A bill (S. 1077) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

Mr. BYRD. Mr. 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. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. BYRD. Mr. President, today, the Senate is debating S. 1077, the Supplemental Appropriations Act for Fiscal Year 2001.

On June 1, 2001, President Bush asked Congress to consider a supplemental request for \$6.5 billion, primarily for the Department of Defense. The draft supplemental bill that is before us totals \$6.5 billion, not one dime above the President's request—not one thin dime above the President's request. It contains no emergency funding. The President has said that he will not support such emergency spending, so the Committee has not included any emergency designations in this bill. Unrequested items in the bill are offset.

S. 1077 funds the President's request for additional defense spending for health care, for military pay and benefits, for the high costs of natural gas and other utilities, for increased military flying hours, and for other purposes. The bill includes a net increase of \$5.54 billion for the Department of Defense and \$291 million for defense-related programs of the Department of Energy.

While the Appropriations Committee has approved most of the President's

request for the Department of Defense, I stress the importance of accountability for these and future funds. Financial accountability remains one of the weakest links in the Defense Department's budget process. Just last month, the General Accounting Office reported that, of \$1.1 billion earmarked for military spare parts in the fiscal year 1999 supplemental, only about \$88 million could be tracked to the purchase of spare parts. The remaining \$1 billion, or 92 percent of the appropriation, was transferred to operations and maintenance accounts, where the tracking process broke down.

Perhaps a substantial portion of the money appropriated for spare parts was spent on spare parts; perhaps it was not. But, given the way the money was managed, nobody knows for sure and that, it seems to me, is an unacceptable circumstance, because one thing we do know for sure is that an adequate inventory of spare parts is a key component of readiness and the Defense Department apparently does not have an adequate inventory of spare parts. So we must do better in making sure these dollars for spare parts go for spare parts.

The supplemental funding bill before us today includes another \$30 million for spare parts, this time specifically for the Army. As former President Reagan would have said, here we go again. To forestall a repeat of the problems that arose in accounting for spare parts expenditures provided in the fiscal year 1999 supplemental, the committee, at my request, approved report language requiring the Secretary of Defense to follow the money and to provide Congress with a complete accounting of all supplemental funds appropriated for spare parts. The intent of this provision is to ensure that money appropriated by Congress for the purchase of spare parts does not get shifted into any other program.

The supplemental appropriations bill, as reported by the Senate Appropriations Committee, provides \$300 million for the Low Income Energy Assistance Program, an increase of \$150 million above the President's request, to help our citizens cope with high energy costs. The bill also includes \$161 million that was not requested for grants to local education agencies under the Education for the Disadvantaged Program in response to the most recent poverty and expenditure data. Also provided is \$100 million as an initial United States contribution to a global trust fund to combat AIDS, malaria, and tuberculosis. In addition, \$92 million requested by the President for the Coast Guard is included, as is \$115.8 million requested for the Treasury Department for the cost of processing and mailing out the tax rebate checks.

In addition, the bill includes \$84 million for the Radiation Exposure Trust Fund to provide compensation to the victims of radiation exposure. We thank Senators DOMENICI and BINGAMAN for their leadership in assisting

those who were involved in the mining of uranium ore and those who were downwind from nuclear weapons tests during the Cold War.

The Senate Appropriations Committee's bill includes a number of offsets to pay for these additional items. Members should be on notice that, with passage of this bill, we are at the statutory cap for budget authority in Fiscal Year 2001. I say to colleagues on both sides of the aisle that any amendments that are offered will need to be offset. Exceeding the statutory cap could result in an across-the-board cut in all discretionary spending, both for defense programs and for non-defense programs. I urge Members to avoid the spectacle of a government-wide sequester by finding appropriate offsets for amendments.

There is another reason to insist on offsets for any additional spending. During debate on the recent tax-cut bill, I argued that the tax cuts contained in that bill could return the Federal budget to the deficit ditch. I stressed that the tax cuts were based on highly suspect ten-year surplus estimates and that if those estimates proved illusory, the tax-cut bill would result in spending the Medicare surplus. Now, before the ink is even dry on the President's signature on that tax bill, we may find ourselves headed back into the deficit ditch and headed in the direction of cutting into the Medicare surplus.

Our distinguished Chairman of the Senate Budget Committee, KENT CONRAD, has prepared an analysis of the budget picture for Fiscal Year 2001, the current fiscal year, based on recent economic projections from the President's own Director of the National Economic Council, Lawrence Lindsey. The tax-cut bill reduced the surplus by \$74 billion in Fiscal Year 2001 alone. As a result, Chairman CONRAD is projecting a raid on the Medicare Trust Fund in Fiscal Year 2001 of \$17 billion.

Any efforts to increase spending in this bill without offsets will only make this problem worse.

The President asserted in his Budget Blueprint that the authority of the Congress and the President to designate funding as an emergency has been abused. The Administration has indicated in its Statement of Administration Policy of June 19, 2001, that the President does not intend to designate the \$473 million of emergency funding contained in the House-passed bill as emergency spending.

The administration further states that, "emergency supplemental appropriations should be limited to extremely rare events." The Senate supplemental bill contains no emergency designations. Nonetheless, I do believe that it is appropriate for Congress and the President to use the emergency authority from time to time in response to natural disasters and other truly unforeseen events in the nature of disasters.

As I mentioned earlier, this supplemental appropriations bill provides immediate relief through the Low-Income Home Energy Assistance Program, LIHEAP, for American families being hit hard by this energy crisis. Moreover, it includes funding to help educate our most needy students through the Education for the Disadvantaged Program. To help offset the cost of these two supplementals, a rescission of unallocated dislocated worker funds under the Workforce Investment Act was also included in the committee bill.

The States have accumulated a large, unexpended balance of dislocated worker funds due to start-up delays with the Workforce Investment Act of 1998. These funds are estimated to exceed \$600 million for the program year that ended on June 30, 2001. Although the rescission of dislocated worker funds will reduce the Fiscal Year 2001 appropriation from \$1.59 billion to \$1.37 billion, the Labor Department projects that the carryover funds from the previous program year will more than offset the rescission. Federal funding, including carryover balances, will actually increase by \$423 million in program year 2001, or 25 percent above the level for program year 2000.

Furthermore, report language was included in the supplemental appropriations bill expressing the Senate Appropriations Committee's support for the Workforce Investment Act, the dislocated worker program, and the committee's intent to carefully monitor the need for enhanced job-training services. Should it be determined that additional funds are needed, the Appropriations Committee will do all it can to ensure that sufficient funds are included in the Fiscal Year 2002 Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations bill.

Pursuant to the unanimous consent agreement, Senator STEVENS and I will be offering a managers' amendment that contains a number of amendments that have been agreed to by both sides. One of the items in the managers' amendment is an amendment of mine to provide \$3 million to hire additional USDA inspectors to promote the proper treatment of livestock. Another item would provide \$20 million to help farmers in the Klamath Basin in Oregon and California. The cost of these and other provisions contained in the managers' amendment is fully offset.

I have noted in the press recently some stories that greatly concern me. I believe the American people are concerned and are becoming increasingly sensitive to the treatment of animals. Reports of cruelty to animals through improper livestock production and slaughter practices have hit a nerve with the American people. The recent announcements by major food outlets, such as McDonalds, that they would only buy products from suppliers that could assure certain levels of humane animal treatment speak volumes to changes in public expectations.

The managers' amendment will provide an additional \$3 million through the USDA Office of the Secretary for activities across three department mission areas to protect and promote humane treatment of animals. Of the \$3 million provided, no less than \$1 million is directed to enforcement of the Animal Welfare Act, under which standards for livestock production, laboratory animals, and so-called puppy mills are established. In addition, no less than \$1 million is directed for activities under the Federal Meat Inspection Act, which will enhance humane treatment in the slaughter of animals in facilities under the jurisdiction of Federal inspection. Finally, an amount up to \$500,000 is directed for the development and demonstration of technologies that can be used by producers, processors, and others to provide better care of animals at all stages of their lives.

Mr. President, I shall, in conclusion, ask unanimous consent—but not right at this point—that certain newspaper articles which have been written with respect to the slaughter of animals, and the inhumane slaughter of animals, be printed in the RECORD at the conclusion of my remarks.

This bill responds to the President's supplemental request for necessary defense spending, and it also provides funding for important domestic priorities. It is not one dime—not one thinly, much-worn dime—over the President's request. It is within the statutory spending limits. It is a responsible bill, and I urge Members to support it.

Before yielding the floor, let me express my thanks to the distinguished senior Senator from Alaska, Mr. STEVENS, who is the ranking member on the Appropriations Committee in the Senate. He is the former chairman of the committee with whom I had the great pleasure of serving for several years in that position. And I believe it is a blessing, indeed, for me, as I stand on this floor today to present this bill, to also be able to say that Senator STEVENS and I stood shoulder to shoulder, and we shall continue to work shoulder to shoulder, as we moved forward with this bill.

I cannot adequately express my appreciation to him and to his staff and to my own staff for the great work and the excellent cooperation that have been shown in connection with the preparation and presentation of this bill.

I yield the floor.

The PRESIDING OFFICER. Does the Senator make his unanimous consent request at this time?

Mr. BYRD. Yes, I do make that unanimous consent request.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 10, 2001]

THEY DIE PIECE BY PIECE

IN OVERTAXED PLANTS, HUMANE TREATMENT OF CATTLE IS OFTEN A BATTLE LOST

(By Joby Warrick)

PASCO, WASH.—It takes 25 minutes to turn a live steer into steak at the modern slaughterhouse where Ramon Moreno works. For 20 years, his post was "second-legger," a job that entails cutting hocks off carcasses as they whirl past at a rate of 309 an hour.

The cattle were supposed to be dead before they got to Moreno. But too often they weren't.

"They blink. They make noises," he said softly. "The head moves, the eyes are wide and looking around."

Still Moreno would cut. On bad days, he says, dozens of animals reached his station clearly alive and conscious. Some would survive as far as the tail cutter, the belly ripper, the hide puller. "They die," said Moreno, "piece by piece."

Under a 23-year-old federal law, slaughtered cattle and hogs first must be "stunned"—rendered insensible to pain—with a blow to the head or an electric shock. But at overtaxed plants, the law is sometimes broken, with cruel consequences for animals as well as workers. Enforcement records, interviews, videos and worker affidavits describe repeated violations of the Humane Slaughter Act at dozens of slaughterhouses, ranging from the smallest, custom butcheries to modern, automated establishments such as the sprawling IBP Inc. plant here where Moreno works.

"In plants all over the United States, this happens on a daily basis," said Lester Friedlander, a veterinarian and formerly chief government inspector at a Pennsylvania hamburger plant. "I've seen it happen. And I've talked to other veterinarians. They feel it's out of control."

The U.S. Department of Agriculture oversees the treatment of animals in meat plants, but enforcement of the law varies dramatically. While a few plants have been forced to halt production for a few hours because of alleged animal cruelty, such sanctions are rare.

For example, the government took no action against a Texas beef company that was cited 22 times in 1998 for violations that included chopping hooves off live cattle. In another case, agency supervisors failed to take action on multiple complaints of animal cruelty at a Florida beef plant and fired an animal health technician for reporting the problems to the Humane Society. The dismissal letter sent to the technician, Tim Walker, said his disclosure had "irreparably damaged" the agency's relations with the packing plant.

"I complained to everyone—I said, 'Lookit, they're skinning live cows in there,'" Walker said. "Always it was the same answer: 'We know it's true. But there's nothing we can do about it.'"

In the past three years, a new meat inspection system that shifted responsibility to industry has made it harder to catch and report cruelty problems, some federal inspectors say. Under the new system, implemented in 1998, the agency no longer tracks the number of humane-slaughter violations its inspectors find each year.

Some inspectors are so frustrated they're asking outsiders for help: The inspectors' union last spring urged Washington state authorities to crack down on alleged animal abuse at the IBP plant in Pasco. In a statement, IBP said problems described by workers in its Washington state plant "do not accurately represent the way we operate our plants. We take the issue of proper livestock handling very seriously."

But the union complained that new government policies and faster production speeds at the plant had "significantly hampered our ability to ensure compliance." Several animal welfare groups joined in the petition.

"Privatization of meat inspection has meant a quiet death to the already meager enforcement of the Humane Slaughter Act," said Gail Eisnitz of the Humane Farming Association, a group that advocates better treatment of farm animals. "USDA isn't simply relinquishing its humane-slaughter oversight to the meat industry, but is—without the knowledge and consent of Congress—abandoning this function altogether."

The USDA's Food Safety Inspection Service, which is responsible for meat inspection, says it has not relaxed its oversight. In January, the agency ordered a review of 100 slaughterhouses. An FSIS memo reminded its 7,600 inspectors they had an "obligation to ensure compliance" with humane-handling laws.

The review comes as pressure grows on both industry and regulators to improve conditions for the 155 million cattle, hogs, horses and sheep slaughtered each year. McDonald's and Burger King have been subject to boycotts by animal rights groups protesting mistreatment of livestock.

As a result, two years ago McDonald's began requiring suppliers to abide by the American Meat Institute's Good Management Practices for Animal Handling and Stunning. The company also began conducting annual audits of meat plants. Last week, Burger King announced it would require suppliers to follow the meat institute's standards.

"Burger King Corp. takes the issues of food safety and animal welfare very seriously, and we expect our suppliers to comply," the company said in a statement.

Industry groups acknowledge that sloppy killing has tangible consequences for consumers as well as company profits. Fear and pain cause animals to produce hormones that damage meat and cost companies tens of millions of dollars a year in discarded product, according to industry estimates.

Industry officials say they also recognize an ethical imperative to treat animals with compassion. Science is blurring the distinction between the mental processes of humans and lower animals—discovering, for example, that even the lowly rat may dream. Americans thus are becoming more sensitive to the suffering of food animals, even as they consume increasing numbers of them.

"Handling animals humanely," said American Meat Institute president J. Patrick Boyle, "is just the right thing to do."

Clearly, not all plants have gotten the message.

A Post computer analysis of government enforcement records found 527 violations of humane-handling regulations from 1996 to 1997, the last years for which complete records were available. The offenses range from overcrowded stockyards to incidents in which live animals were cut, skinned or scalded.

Through the Freedom of Information Act, The Post obtained enforcement documents from 28 plants that had high numbers of offenses or had drawn penalties for violating humane-handling laws. The Post also interviewed dozens of current and former federal meat inspectors and slaughterhouse workers. A reporter reviewed affidavits and secret video recordings made inside two plants.

Among the findings:

One Texas plant, Supreme Beef Packers in Ladonia, had 22 violations in six months. During one inspection, federal officials found nine live cattle dangling from an overhead chain. But managers at the plant, which an-

nounced last fall it was ceasing operations, resisted USDA warnings, saying its practices were no different than others in the industry. "Other plants are not subject to such extensive scrutiny of their stunning activities," the plant complained in a 1997 letter to the USDA.

Government inspectors halted production for a day at the Calhoun Packing Co. beef plant in Palestine, Tex., after inspectors saw cattle being improperly stunned. "They were still conscious and had good reflexes," B.V. Swamy, a veterinarian and senior USDA official at the plant, wrote. The shift supervisor "allowed the cattle to be hung anyway." IBP, which owned the plant at the time, contested the findings but "took steps to resolve the situation," including installing video equipment and increasing training, a spokesman said. IBP has since sold the plant.

At the Farmers Livestock Cooperative processing plant in Hawaii, inspectors documented 14 humane-slaughter violations in as many months. Records from 1997 and 1998 describe hogs that were walking and squealing after being stunned as many as four times. In a memo to USDA, the company said it fired the stunner and increased monitoring of the slaughter process.

At an Excel Corp. beef plant in Fort Morgan, Colo., production was halted for a day in 1998 after workers allegedly cut off the leg of a live cow whose limbs had become wedged in a piece of machinery. In imposing the sanction, U.S. inspectors cited a string of violations in the previous two years, including the cutting and skinning of live cattle. The company, responding to one such charge, contended that it was normal for animals to blink and arch their backs after being stunned, and such "muscular reaction" can occur up to six hours after death. "None of these reactions indicate the animal is still alive," the company wrote to USDA.

Hogs, unlike cattle, are dunked in tanks of hot water after they are stunned to soften the hides for skinning. As a result, a botched slaughter condemns some hogs to being scalded and drowned. Secret videotape from an Iowa pork plant shows hogs squealing and kicking as they are being lowered into the water.

USDA documents and interviews with inspectors and plant workers attributed many of the problems to poor training, faulty or poorly maintained equipment or excessive production speeds. Those problems were identified five years ago in an industry-wide audit by Temple Grandin, an assistant professor with Colorado State University's animal sciences department and one of the nation's leading experts on slaughter practices.

In the early 1990s, Grandin developed the first objective standards for treatment of animals in slaughterhouses, which were adopted by the American Meat Institute, the industry's largest trade group. Her initial, USDA-funded survey in 1996 was one of the first attempts to grade slaughter plants.

One finding was a high failure rate among beef plants that use stunning devices known as "captive-bolt" guns. Of the plants surveyed, only 36 percent earned a rating of "acceptable" or better, meaning cattle were knocked unconscious with a single blow at least 95 percent of the time.

Grandin now conducts annual surveys as a consultant for the American Meat Institute and McDonald's Corp. She maintains that the past four years have brought dramatic improvements—mostly because of pressure from McDonald's, which sends a team of meat industry auditors into dozens of plants each year to observe slaughter practices.

Based on the data collected by McDonald's auditors, the portion of beef plants scoring "acceptable" or better climbed to 90 percent in 1999. Some workers and inspectors are

skeptical of the McDonald's numbers, and Grandin said the industry's performance dropped slightly last year after auditors stopped giving notice of some inspections.

Grandin said high production speeds can trigger problems when people and equipment are pushed beyond their capacity. From a typical kill rate of 50 cattle an hour in the early 1990s, production speeds rose dramatically in the 1980s. They now approach 400 per hour in the newest plants.

"It's like the 'I Love Lucy' episode in the chocolate factory," she said. "You can speed up a job and speed up a job, and after a while you get to a point where performance doesn't simply decline—it crashes."

When that happens, it's not only animals that suffer. Industry trade groups acknowledge that improperly stunned animals contribute to worker injuries in an industry that already has the nation's highest rate of job-related injuries and illnesses—about 27 percent a year. At some plants, "dead" animals have inflicted so many broken limbs and teeth that workers wear chest pads and hockey masks.

"The live cows cause a lot of injuries," said Martin Fuentes, an IBP worker whose arm was kicked and shattered by a dying cow. "The line is never stopped simply because an animal is alive."

A "BRUTAL" HARVEST

At IBP's Pasco complex, the making of the American hamburger starts in a noisy, blood-spattered chamber shielded from view by a stainless steel wall. Here, live cattle emerge from a narrow chute to be dispatched in a process known as "knocking" or "stunning." On most days the chamber is manned by a pair of Mexican immigrants who speak little English and earn about \$9 an hour for killing up to 2,050 head per shift.

The tool of choice is a captive-bolt gun, which fires a retractable metal rod into the steer's forehead. An effective stunning requires a precision shot, which workers must deliver hundreds of times daily to balky, frightened animals that frequently weigh 1,000 pounds or more. Within 12 seconds of entering the chamber, the fallen steer is shackled to a moving chain to be bled and butchered by other workers in a fast-moving production line.

The hitch, IBP workers say, is that some "stunned" cattle wake up.

"If you put a knife into the cow, it's going to make a noise: It says, 'Moo!'" said Moreno, the former second-legger, who began working in the stockyard last year. "They move the head and the eyes and the leg like the cow wants to walk."

After a blow to the head, an unconscious animal may kick or twitch by reflex. But a videotape, made secretly by IBP workers and reviewed by veterinarians for The Post, depicts cattle that clearly are alive and conscious after being stunned.

Some cattle, dangling by a leg from the plant's overhead chain, twist and arch their backs as though trying to right themselves. Close-ups show blinking reflexes, an unmistakable sign of a conscious brain, according to guidelines approved by the American Meat Institute.

The video, parts of which were aired by Seattle television station KING last spring, shows injured cattle being trampled. In one graphic scene, workers give a steer electric shocks by jamming a battery-powered prod into its mouth.

More than 20 workers signed affidavits alleging that the violations shown on tape are commonplace and that supervisors are aware of them. The sworn statements and videos were prepared with help from the Humane Farming Association. Some workers had taken part in a 1999 strike over what they said were excessive plant production speeds.

"I've seen thousands and thousands of cows go through the slaughter process alive," IBP veteran Puentes, the worker who was injured while working on live cattle, said in an affidavit. "The cows can get seven minutes down the line and still be alive. I've been in the side-puller where they're still alive. All the hide is stripped out down the neck there."

IBP, the nation's top beef processor, denounced as an "appalling aberration" the problems captured on the tape. It suggested the events may have been staged by "activists trying to raise money and promote their agenda. . . ."

"Like many other people, we were very upset over the hidden camera video," the company said. "We do not in any way condone some of the livestock handling that was shown."

After the video surfaced, IBP increased worker training and installed cameras in the slaughter area. The company also questioned workers and offered a reward for information leading to identification of those responsible for the video. One worker said IBP pressured him to sign a statement denying that he had seen live cattle on the line.

"I knew that what I wrote wasn't true," said the worker, who did not want to be identified for fear of losing his job. "Cows still go alive every day. When cows go alive, it's because they don't give me time to kill them."

Independent assessments of the workers' claims have been inconclusive. Washington State officials launched a probe in May that included an unannounced plant inspection. The investigators say they were detained outside the facility for an hour while their identities were checked. They saw no acts of animal cruelty once permitted inside.

Grandin, the Colorado State professor, also inspected IBP's plant, at the company's request; that inspection was announced. Although she observed no live cattle being butchered, she concluded that the plant's older-style equipment was "overloaded." Grandin reviewed parts of the workers' videotape and said there was no mistaking what she saw.

"There were fully alive beef on that rail," Grandin said.

INCONSISTENT ENFORCEMENT

Preventing this kind of suffering is officially a top priority for the USDA's Food Safety Inspection Service. By law, a humane-slaughter violation is among a handful of offenses that can result in an immediate halt in production—and cost a meatpacker hundreds or even thousands of dollars per idle minute.

In reality, many inspectors describe humane slaughter as a blind spot: Inspectors' regular duties rarely take them to the chambers where stunning occurs. Inconsistencies in enforcement, training and record-keeping hamper the agency's ability to identify problems.

The meat inspectors' union, in its petition last spring to Washington state's attorney general, contended that federal agents are "often prevented from carrying out" the mandate against animal cruelty. Among the obstacles inspectors face are "dramatic increases in production speeds, lack of support from supervisors in plants and district offices . . . new inspection policies which significantly reduce our enforcement authority, and little to no access to the areas of the plants where animals are killed," stated the petition by the National Joint Council of Food Inspection Locals.

Barbara Masters, the agency's director of slaughter operations, told meat industry executives in February she didn't know if the number of violations was up or down, thought she believed most plants were com-

plying with the law. "We encourage the district offices to monitor trends," she said. "The fact that we haven't heard anything suggests there are no trends."

But some inspectors see little evidence the agency is interested in hearing about problems. Under the new inspection system, the USDA stopped tracking the number of violations and dropped all mentions of humane slaughter from its list of rotating tasks for inspectors.

The agency says it expects its watchdogs to enforce the law anyway. Many inspectors still do, though some occasionally wonder if it's worth the trouble.

"It always ends up in argument: Instead of re-stunning the animal, you spend 20 minutes just talking about it," said Colorado meat inspector Gary Dahl, sharing his private views. "Yes, the animal will be dead in a few minutes anyway. But why not let him die with dignity?"

[From the Washington Post, Apr. 10, 2001]

BIG MAC'S BIG VOICE IN MEAT PLANTS

(By Joby Warrick)

KANSAS CITY, MO.—Never mind the bad old days, when slaughterhouses were dark places filled with blood and terror. As far as the world's No. 1 hamburger vendor is concerned, Happy Meals start with happy cows.

That was the message delivered in February by a coterie of McDonald's consultants to a group of 140 managers who oversee the slaughter of most of the cattle and pigs Americans will consume this year. From now on, McDonald's says, its suppliers will be judged not only on how cleanly they slaughter animals, but also on how well they manage the small details in the final minutes.

Starting with cheerful indoor lighting.

"Cows like indirect lighting," explained Temple Grandin, an animal science assistant professor at Colorado State University and McDonald's lead consultant on animal welfare. "Bright lights are a distraction."

And only indoor voices, please.

"We've got to get rid of the yelling and screaming coming out of people's mouths," Grandin scolded.

So much attention on atmosphere may seem misplaced, given that the beneficiaries are seconds away from death. But McDonald's, like much of the meat industry, is serious when it comes to convincing the public of its compassion for the cows, chickens and pigs that account for the bulk of its menu.

Bloodied in past scrapes with animal rights groups, McDonald's has been positioning itself in recent years as an ardent defender of farm animals. It announced last year it would no longer buy eggs from companies that permit the controversial practice of withholding food and water from hens to speed up egg production.

Now the company's headfirst plunge into slaughter policing is revolutionizing the way slaughterhouses do business, according to a wide range of industry experts and observers.

"In this business, you have a pre-McDonald's era and a post-McDonald's era," said Grandin, who has studied animal-handling practices for more than 20 years. "The difference is measured in light-years."

Others also have contributed to the improvement, including the American Meat Institute, which is drawing ever-larger crowds to its annual "humane-handling" seminars, such as the one in Kansas City. The AMI, working with Grandin, issued industry-wide guidelines in 1997 that spell out proper treatment of cows and pigs, from a calm and orderly delivery to the stockyards to a quick and painless end on the killing floor.

But the driving force for change is McDonald's, which decided in 1998 to conduct annual inspections at every plant that puts the

beef into Big Macs. The chain's auditors observe how animals are treated at each stage of the process, keeping track of even minor problems such as excessive squealing or the overuse of cattle prods.

The members of McDonald's audit team say their job is made easier by scientific evidence that shows tangible economic benefits when animals are treated well. Meat from abused or frightened animals is often discolored and soft, and it spoils more quickly due to hormonal secretions in the final moments of life, industry experts say.

"Humane handling results in better finished products," AMI President J. Patrick Boyle said. "It also creates a safer workplace, because there's a potential for worker injuries when animals are mishandled."

Not everyone is convinced that slaughter practices have improved as much as McDonald's surveys suggest. Gail Eisnitz, investigator for the Humane Farming Association, notes that until the past few months, all McDonald's inspections were announced in advance.

"The industry's self-inspections are meaningless," Eisnitz said. "They're designed to lull Americans into a false sense of security about what goes on inside slaughterhouses."

But Jeff Rau, an animal scientist who attended the Kansas City seminar on behalf of the Humane Society of the United States, saw the increased attention to animal welfare as a hopeful step.

"The industry has recognized it has some work to do," Rau said. "The next step is to convince consumers to be aware of what is happening to their food before it gets to the table. People should understand that their food dollars can carry some weight in persuading companies to improve."

EULOGY OF THE DOG

(By George G. Vest)

WARRENSBURG, MO, Sept. 23, 1870.—Gentlemen of the jury. The best friend a man has in the world may turn against him and become his enemy. His son or daughter whom he has reared with loving care may prove ungrateful. Those who are nearest and dearest to us, those whom we trust with our happiness and our good name, may become traitors to their faith. The money that a man has he may lose. It flies away from him perhaps when he needs it most. A man's reputation may be sacrificed in a moment of ill-considered action. The people who are prone to fall on their knees to do us honor when success is with us may be the first to throw the stone of malice when failure settles its cloud upon our heads. The one absolutely unselfish friend that a man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is the dog.

Gentlemen of the jury, a man's dog stands by him in prosperity and in poverty, in health and in sickness. He will sleep on the cold ground when the wintry winds blow and the snow drives fiercely, if only he can be near his master's side. He will kiss the hand that has no food to offer, he will lick the wounds and sores that come in encounter with the roughness of the world. He guards the sleep of his pauper master as if he were a prince.

When all other friends desert, he remains. When riches take wings and reputation falls to pieces, he is as constant in his love as the sun in its journey through the heavens. If fortune drives the master forth an outcast into the world, friendless and homeless, the faithful dog asks no higher privilege than that of accompanying him, to guard him against danger, to fight against his enemies. And when the last scene of all comes, and death takes his master in its embrace and

his body is laid in the cold ground, no matter if all other friends pursue their way, there by his graveside will the noble dog be found, his head between his paws and his eyes sad but open, in alert watchfulness, faithful and true, even unto death.

Mr. BYRD. Mr. President, after Senator STEVENS presents his statement, if he has no objection, I will present the managers' amendment. And at that time I will also ask unanimous consent that if that managers' amendment may be agreed to, that a second managers' amendment may be in order if necessary.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I join the chairman of the Appropriations Committee in presenting this bill, S. 1077, to the Senate today. It provides necessary supplemental funds for the remainder of fiscal year 2001.

Let me start off by thanking Senator BYRD for his kind comments. It is a pleasure, once more, to present a supplemental bill to the Senate together with my great friend from West Virginia. He is chairman now. I was chairman last year. I can tell the Senate, it makes no difference as far as we are concerned. We work together. We may have slight disagreements from time to time, but we work those out before coming to this Chamber. I commend him for the way he is now proceeding—as rapidly as possible—to catch up on the schedule of the appropriations bills so we may do our best to complete them all by the end of this fiscal year.

As stated by Senator BYRD, this bill, as reported by our committee, conforms to the budget resources available for this year in both budget authority and outlays. The bill also matches the total request submitted by President Bush of \$6.5 billion.

The bill does not present any emergency appropriations. All spending is within the budget caps set by Congress and within the President's request.

I commend the chairman for reporting this bill out of the committee just 1 day after the House passed the companion measure, H.R. 2216. Our committee had only 2 weeks to consider the President's request and House adjustments, and sent this bill forward with a unanimous vote in the committee. That is a great compliment to Senator BYRD as the chairman of the committee.

I am pleased to join him in recommending the bill to the Senate. I urge all Members to support the bill and to adhere to the tight spending limits that have been adhered to by the committee itself. Nearly 90 percent of the funding provided in this bill meets the ongoing needs of the Department of Defense.

I join also in commending the senior Senator from Hawaii, Mr. INOUE, the chairman of the Defense Subcommittee, for his determination to meet the readiness, quality of life, and health care needs of the men and women who serve in our Nation's Armed Forces.

In addition to the amounts requested by the President, funds are provided in the bill for the direct care system for military medicine. Additional funds are also proposed for Army real property maintenance and spare parts advocated by General Shinseki, the Army Chief of Staff. Funds are also provided for Navy ship depot maintenance and engagement initiatives for the commander in chief of the U.S. Pacific Command.

Based on extensive hearings by the Defense Subcommittee and numerous discussions with the Secretary of Defense, these amounts are adequate to meet the military's needs through the end of this fiscal year.

This bill is no substitute for the significant increase in defense funds that have been sought by the President in his budget amendment. He has sought an additional \$18.4 billion over the original request for fiscal year 2002. We are looking here only at amounts needed through September 30 of this year, 2001. Just 83 days from now, we will see the end of this fiscal year.

Amendments may be offered that would provide additional funds for this year—for 2001. I urge my colleagues to withhold such amendments. We have adequately discussed the needs with the Department, and we believe there are no additional funds that could be spent within this fiscal year of 2001.

We will have an opportunity to assess the needs of the Department through the Defense authorization and appropriations bills for 2002, the fiscal year that we will address starting on October 1 of this year. We cannot address all those needs here. We do not need to deal with the 2002 requests in a 2001 supplemental appropriations bill.

I join my colleagues in their belief that we need additional resources for our national defense. I shall do my best to support the request of the President, and all other funding that we might be able to achieve, to really deal with the Department of Defense needs.

The underfunding of the past cannot be corrected in one supplemental bill. The new Secretary and the President of the United States have asked for our patience while they set new priorities and determine the most vital needs for our Armed Forces. We have had significant changes in our military strategy, and we should accord the President of the United States and the Secretary of Defense the courtesy they have requested and wait for their report.

We need to move this bill out of the Senate today. I join Senator BYRD in committing to hold this bill to the level set by the committee and by the President for this fiscal year.

We need to get the military the money they need by getting this bill to conference and out of conference this week so that they will have these funds available for the remainder of this year. I also commit to working with my colleagues to secure the funding later this month, and in September, for fiscal year 2002 and future years.

In addition to the military requirements, there are several pressing disaster relief challenges that face our National Government. Through several conversations with the Director of the Federal Emergency Management Agency, Joe Allbaugh, I am anxious about the level of FEMA disaster relief funding available for the rest of this calendar year.

So far, no further supplemental request has been received from the Office of Management and Budget for this fiscal year. It is my hope that additional information will be available to the conferees on this bill later this week.

Challenges from tropical storm Allison, ice storms in the Southeast, and other disasters continue to stress our response capability. Especially damaging was the loss to the medical research programs in Houston, TX, during the storm Allison.

The Senator from Texas, a member of our committee, has worked tirelessly to find means to address that crisis, and I look forward to working with her on that effort to the maximum extent possible.

With no budget constraints, I could support additional funding for the Department of Defense, for FEMA, for LIHEAP, and several other priorities sought by many of our colleagues.

We were asked by the President to limit funding in this bill to such amounts as could be spent during the remainder of this fiscal year. That is a reasonable request. We were also asked to live within the moneys available under the funding caps set by the Congress. We have already voted on that this year, and we feel constrained by those limits.

We were asked to break the cycle of "emergency" appropriations as simply a tool to get around budget limits. We do not support those actions, and the executive branch in the past has required emergency appropriations each year. We hope we will not have to pursue that policy in the future.

This bill meets the demands of the Congress and the President of the United States for budget constraints.

We hope we can go to conference this week with the House. If the Senate passes this bill, as we hope, early tomorrow morning, that will take place.

I implore all Senators to work with us today to complete this bill so the funds can get to the Armed Forces by the end of this week.

We have been in sort of a vicious cycle in recent years whereby the Chairman of the Joint Chiefs and the Chiefs themselves have had to determine how much they could spend in the early parts of the fiscal year because of constraints placed on them due to the deviation of funds for peacekeeping and other activities. That has led every year to a supplemental. This is one of those supplementals for funds necessary to carry out the basic needs of our military during the summertime. The steaming hours of our Navy, the flying hours of our Air Force and our

Marines and Navy, the ground exercises by our Army, and the activities that take place throughout the world by our men and women in the armed services demand additional money.

This is the bill to fund those for the remainder of July and August and September. Those activities will depend upon the passage of this bill.

The sooner we can pass this bill, the better off we will be in terms of the training and the activities of our men and women in the armed services to assure their capabilities to defend this country.

I urgently support this bill. I urgently urge the Senate to pass it as soon as possible.

I request the cooperation of every Member of the Senate in trying to help us accomplish that objective no later than tomorrow morning.

Mr. CONRAD. Mr. President, I am pleased to rise today in support of S. 1077, the Supplemental Appropriations Act for Fiscal Year 2001.

The Senate bill provides \$8.477 billion in new discretionary budget authority, offset by the rescission of \$1.933 billion of budget authority provided in previous years, for a net increase of \$6.544 billion. As a result of this additional budget authority, outlays will increase by \$1.291 billion in 2001. The Senate bill meets its revised section 302(a) and 302(b) allocations for budget authority and is well under—by more than \$1 billion—those allocations for outlays.

I commend Chairman BYRD and Senator STEVENS for their bipartisan effort under unusual circumstances in bringing this important measure to the floor within its allocation and without resorting to unnecessary emergency designations. This bill provides important resources to our uniformed personnel, including funding statutory increases in pay and health care. In addition, it provides assistance to low-income families for heating and education.

I urge adoption of the bill.

I ask for unanimous consent that a table displaying the Budget Committee scoring of this bill printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

S. 1077, SUPPLEMENTAL APPROPRIATIONS ACT, 2001
(Spending comparisons—Senate-reported bill (in millions of dollars))

	Discretionary	Mandatory	Total
Senate-reported bill:			
Budget Authority	6,544	936	7,480
Outlays	1,291	936	2,227
Amounts available within Senate			
302(a) allocation:			
Budget Authority	6,545	936	7,481
Outlays	2,487	936	3,423
House-passed bill:			
Budget Authority	6,545	936	7,481
Outlays	1,341	936	2,277
President's request:			
Budget Authority	6,543	936	7,479
Outlays	1,232	936	2,168
SENATE-REPORTED BILL COMPARED TO			
Amounts available within Senate			
302(a) allocation:			
Budget Authority	(1)	0	(1)
Outlays	(1,196)	0	(1,196)
House-passed bill:			
Budget Authority	(1)	0	(1)

S. 1077, SUPPLEMENTAL APPROPRIATIONS ACT, 2001—
Continued

(Spending comparisons—Senate-reported bill (in millions of dollars))	Discretionary	Mandatory	Total
Outlays	(50)	0	(50)
President's request:			
Budget Authority	1	0	1
Outlays	59	0	59

Notes: Details may not add to totals due to rounding. Prepared by SBC Majority Staff, June 26, 2001.

Mr. CONRAD. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

AMENDMENT NO. 861

Mr. BYRD. Mr. President, I shall send to the desk a managers' amendment supported by Senator STEVENS and myself. It consists of a package of amendments. These amendments have been cleared on both sides, and I know of no controversy concerning them.

The first is an amendment by Senators HUTCHISON and INHOFE for storm damage repair at military facilities in Texas and Oklahoma.

The next amendment is offered by Senators TORRICELLI and CORZINE to convey surplus firefighting equipment in New Jersey.

The next is an amendment by myself to make technical corrections in the energy and water chapter in title I.

Next is an amendment for storm damage repair at military facilities in Texas and Oklahoma offered by Senators HUTCHISON and INHOFE.

Next is an amendment by Senator STEVENS to increase the authorization for the Bassett Army Hospital.

Next is an amendment to provide \$3 million for the U.S. Department of Agriculture for humane treatment of animals. That is my amendment. It is fully offset by a later amendment.

Next is an amendment offered by Senators GRASSLEY, ROBERTS, and STEVENS to expedite rulemaking for crop insurance.

Next is an amendment by Senators FEINSTEIN and BOXER and SMITH of Oregon and WYDEN to provide \$20 million for the Klamath Basin. Funding is offset in a later amendment.

This will be followed by an amendment by myself in the agriculture chapter to provide an offset for the \$3 million for humane treatment of animals.

Next is an amendment to increase a rescission in the committee bill for the oil and gas guarantee program by \$4.8 million.

Next is an amendment to strike section 2101 of the committee bill dealing with the Oceans Commission.

Next is an amendment to clarify the use of D.C. local funds to prevent the demolition by neglect of historic prop-

erties, followed by an amendment to redirect the expenditure of \$250,000 within the Western Area Power Administration, followed by an amendment by Senator BURNS to provide a transfer of \$3 million for the Bureau of Land Management energy permitting activities.

Next is an amendment by Senator HARKIN to clarify the timing of the dislocated worker rescission in the committee bill.

This will be followed by a technical change to a heading in the bill.

Next is an amendment offered by Senator DOMENICI to make a technical date correction in the Perkins Vocational Education Act.

Next is an amendment by myself and Senator STEVENS to authorize the expenditure of \$20 million previously appropriated, subject to authorization, to the Corporation for Public Broadcasting for digital conversion by local stations.

Next is an amendment to allow the Architect of the Capitol to make payments to Treasury for water and sewer services provided by the District of Columbia.

These will be followed by amendments by Senators MURRAY and STEVENS to, one, appropriate \$16,800,000 to repair damage caused in Seattle by the Nisqually earthquake; two, appropriate \$2 million for a joint U.S.-Canada commission dealing with connection of the Alaska Railroad to the North American system; and, three, make certain technical corrections. The funding is offset by rescissions.

Next is an amendment by Senator INOUE to transfer \$1 million from the Morris K. Udall Foundation to the Native Nations Institute.

And finally an amendment to name a building in the State of Virginia for a late House colleague, Norm Sisisky, on behalf of Senator WARNER.

I ask unanimous consent that the amendments be considered en bloc and that the reading of the amendments be dispensed with.

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

Mr. BYRD. Mr. President, I ask unanimous consent that the managers' amendment be agreed to and that it be considered as original text for the purpose of further amendment.

Mr. STEVENS. Reserving the right to object, Mr. President, it is my understanding that the chairman of the committee will offer another unanimous consent request for a second managers' amendment.

Mr. BYRD. Yes. I make that request in conjunction with the request pending.

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

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will report the amendment by number for the information of the Senate.

The bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself and Mr. STEVENS, proposes an amendment numbered 861.

The PRESIDING OFFICER. The amendment has been agreed to.

The amendment (No. 861) was agreed to:

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. The Senator's unanimous consent request included the request for a second managers' amendment; am I correct?

The PRESIDING OFFICER. That request has been granted.

Mr. STEVENS. I thank the Chair.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, this would be a very good time for all of our colleagues to offer their amendments if they have amendments. Senator STEVENS and I are prepared to listen to Senators propose their amendments, and we are prepared to respond to their proposals. Much time could be saved if Senators will come to the floor and offer those amendments at the very earliest. Of course, if Senators don't have amendments, that will suit the two of us just as well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, seeing no other Senator who seeks recognition at this time, I shall speak on another matter notwithstanding the fact that the Pastore rule has not run its course.

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

CRUELTY TO ANIMALS

Mr. BYRD. Mr. President, a few months ago, a lady by the name of Sara McBurnett accidentally tapped a sports utility vehicle from behind on a busy highway in California. The angry owner of the bumped vehicle, Mr. Andrew Burnett, stormed back to Ms. McBurnett's car and began yelling at her; and then reached through her open car window with both hands, grabbed

her little white dog and hurled it onto the busy roadway. The lady sat helplessly watching in horror as her frightened little pet ran for its life, dodging speeding traffic to no avail. The traffic was too heavy and the traffic was too swift.

Imagine her utter horror. Recently, Mr. Burnett was found guilty of animal cruelty by a jury in a California court, so my faith in the wisdom of juries was restored. Ever since I first heard about this monstrous, brutal, barbaric act, I have wondered what would drive any sane person to do such a thing. There are some people who have blamed this senseless and brutal incident on road rage. But it was not just road rage, it was bestial cruelty. It was and is an outrage. It was an act of sheer depravity to seize a fluffy, furry, innocent little dog, and toss it onto a roadway, and most certainly to be crushed under tons of onrushing steel, iron, glass, and rubber, while its terrified owner, and perhaps other people in other vehicles, watched.

There is no minimizing such cruelty and resorting to the lame excuse that, "after all, it was just a dog."

The dog owner, Ms. McBurnett, puts the incident in perspective. Here is what she said: It wasn't just a dog to me. For me, it was my child. A majority of pet owners do believe their pets to be family members. That is the way I look at my little dog, my little dog Billy—Billy Byrd. I look at him as a family member. When he passes away, I will shed tears. I know that. He is a little white Maltese Terrier. As a pet owner and dog lover, I know exactly what that lady means, and so did millions of other dog lovers who could never even fathom such an act.

For my wife and me, Billy Byrd is a key part of our lives at the Byrd House in McLean. He brings us great joy and wonderful companionship. As I said on this floor just a few months ago, if I ever saw in this world anything that was made by the Creator's hand that is more dedicated, more true, more faithful, more trusting, more undeviant than this little dog, I am at a loss to state what it is. Such are the feelings of many dog owners.

Dogs have stolen our hearts and made a place in our homes for thousands of years. Dogs fill an emotional need in man and they have endured as our close companions. They serve as guards and sentries and watchdogs; they are hunting companions. Some, like Lassie and Rin Tin Tin, have become famous actors. But mostly, these sociable little creatures are valued especially as loyal comforters to their human masters. Petting a dog can make our blood pressure drop. Try it. Our heart rate slows down. Try it. Our sense of anxiety diminishes, just goes away. Researchers in Australia have found that dog owners have a lower risk of heart disease, lower blood pressure, and lower cholesterol levels than those people who do not own dogs. Researchers in England have dem-

onstrated that dog owners have far fewer minor health complaints than those people without a dog. Our dogs are about the most devoted, steadfast companions that the Creator could have designed. They are said to be man's best friend and, indeed, who can dispute it?

The affection that a dog provides is not only unlimited, it is unqualified, unconditional. A faithful dog does not judge its owner, it does not criticize him or her, it simply accepts him or her; it accepts us as we are, for who we are, no matter how we dress, no matter how much money we have or don't have, and no matter what our social standing might be or might not be. No matter what happens, one's dog is still one's friend.

A long, frustrating day at work melts into insignificance—gone—with the healing salve of warm, excited greetings from one's ever faithful, eternally loyal dog.

President Truman was supposed to have remarked: If you want a friend in Washington, buy a dog. I often think about Mr. Truman's words. No wonder so many political leaders have chosen the dog as a faithful companion and canine confidante. Former Senate Republican leader, Robert Dole, was constantly bringing his dog, "Leader"—every day—to work with him. President Bush has "Barney" and "Spot." President Truman had an Irish setter named "Mike." President Ford had a golden retriever named "Lucky." The first President Bush had Millie.

Of course, there was President Franklin Roosevelt and his dog, "Fala." They had such a close relationship that his political opponents once attempted to attack him by attacking his dog. Eleanor Roosevelt recalled that for months after the death of her husband, every time someone approached the door of her house, Fala would run to it in excitement, hoping that it was President Roosevelt coming home.

The only time I remember President Nixon becoming emotional, except when he was resigning the Presidency, perhaps more so in the first instance, was in reference to his dog "Checkers."

At the turn of the century, George G. Vest delivered a deeply touching summation before the jury in the trial involving the killing of a dog, Old Drum. This occurred, I think, in 1869. There were two brothers-in-law, both of whom had fought in the Union Army. They lived in Johnson County, MO. One was named Leonidas Hornsby. The other was named Charles Burden.

Burden owned a dog, and he was named "Old Drum." He was a great hunting dog. Any time that dog barked one could know for sure that it was on the scent of a raccoon or other animal.

Leonidas Hornsby was a farmer who raised livestock and some of his calves and lambs were being killed by animals. He, therefore, swore to shoot any animal, any dog that appeared on his property.