

American produce or livestock could cause mass panic and long-lasting fear of American produced food products. Dr. Chalk cited a study conducted in California that concluded that “each day of delay in instituting effective eradication and control measures would cost the state \$1 billion in trade sanctions.” The economic repercussions are almost unimaginable.

Yet within the Federal Government, no agency has the clear responsibility for preventing and containing an agroterrorist attack. Over 30 Federal agencies have jurisdiction over some part of the response process. This bifurcation of jurisdiction contributes to confusion among local and State officials as to where to turn for assistance and advice. According to a recent General Accounting Office, GAO, report Federal agencies are confused about the chain of command. The report states that neither the Food and Drug Administration, FDA, nor the Department of Agriculture, USDA, believe that they have the authority to enforce security at U.S. food processing plants. GAO states that “both FDA and USDA have instructed their field inspection personnel to refrain from enforcing any aspects of the security guidelines because the agencies generally believe that they lack such authority.”

When questioned at the Governmental Affairs Committee hearing last week, Dr. Penrose Albright, Assistant Secretary for Science and Technology in the Department of Homeland Security, DHS, indicated that the responsibility of leadership would likely fall to DHS in the event of an intentional attack on the Nation’s agriculture and stated that DHS “takes these responsibilities seriously,” but stopped short of asserting that the new department had overall responsibility. I have asked DHS for clarification on this issue.

Dr. Albright also said that an unintentional contamination of American agriculture would not involve DHS. His response demonstrates a serious deficiency in the Federal Government’s crisis response procedure. If there were an incident, who would lead the response in the hours or days before the cause of an outbreak was known? One agency must shoulder the responsibility for coordinating an immediate response regardless of the cause.

To address these concerns, I introduced two bills, S. 427, the Agriculture Security Assistance Act, and S. 430, the Agriculture Security Preparedness Act, to increase the coordination in confronting the threat to America’s agriculture industry and provide the needed resources. My legislation provides for better funding and a better coordinated response and defense to an agroterrorist attack.

The Agriculture Security Assistance Act would assist States and communities in responding to threats to the agriculture industry. The measure authorizes funds for communities and states to increase their ability to handle a crisis. It also encourages animal

health professionals to participate in community emergency planning activities to assist farmers in strengthening their defenses against a terrorist threat.

The Agriculture Security Preparedness Act would enable better inter-agency coordination within the Federal Government. The legislation establishes senior level liaisons in the Departments of Homeland Security and Health and Human Services to coordinate with USDA on agricultural disease emergency management and response. The bill also requires DHS and USDA to work with the Department of Transportation to address the risks associated with transporting Animals, plants, and people between and around farms.

No doubt a terrorist attack on American agriculture could have a devastating effect on the United States. Our Nation’s capability to counter such an attack is increasing, but more needs to be done. My two bills would help our Nation act now so that a future agroterrorist attack can be avoided or quickly responded to before the damage in lives or livestock is too great. I urge my colleagues to support this overdue legislation.

OVERTIME PAY

Mr. HARKIN. Mr. President, we are sent here to do the people’s business, but one critical piece of the people’s business is missing in this omnibus bill that was filed today. There is one shameful omission.

Both Houses of Congress, on a bipartisan basis, voted for my amendment to block the administration’s proposed new rule on overtime. Both Houses voted to block the administration’s radical rewrite of the Nation’s overtime laws. That amendment passed 54 to 45 in the Senate, and 221 to 203 over in the House. The Congress of the United States spoke up—clear as a bell—and said, “No, the administration must not strip overtime rights from 8 million American workers.”

The administration refused to accept this act of defiance by Congress. The administration ordered its foot soldiers in the House of Representatives to strip this provision from the omnibus. Senator SPECTER and I fought to keep it in, but the administration refused any cooperation or compromise. In the end, just like that, the administration nullified the clear will of both Houses of Congress and the American public.

I believe this is an abuse of power, and there is a clear pattern to this abuse of power. Time and again, we see this administration dictating to Congress, nullifying the work of Congress, running roughshod over the will of Congress.

This administration seems to believe in Government by one branch—the executive branch. When the executive branch speaks, the administration’s allies in Congress must obediently fall in line. And, time and again, they do.

They act as a rubber stamp. They give the President a blank check.

This is dangerous to our constitutional system. The Founding Fathers did not talk about blank checks. They talked about checks and balances. In the Federalist Papers they specifically talked about the danger of allowing any one branch to reign supreme.

Instead of independent, coequal branches of Government, today the executive branch does, indeed, reign supreme. Time and again, this administration dictates to Congress, and Congress submits—even when both Houses of Congress have previously voted to the contrary.

The problem with having the executive branch dictating to the legislative branch—the problem with discarding checks and balances—is that it results in bad public policy, and that is exactly what we see here, today.

Both Houses of Congress, with bipartisan majorities, voted to block the administration’s proposed overtime rule. This was the right thing to do. It was the correct public policy choice because this new rule is a stealth attack on the 40-hour workweek, pushed by the White House without a single public hearing. It will effectively end overtime pay for dozens of occupations, including nurses, police officers, firefighters, clerical workers, airtraffic controllers, social workers, and journalists.

This proposal is a slap in the face to the millions of American workers who depend on overtime pay to support their families and make ends meet. We’re not talking about spare change, here. We are talking about taking away some 25 percent of the income of many American workers.

Now that Congress’s vote and voice have been nullified, we are hearing that the Department of Labor could issue this new rule in the coming weeks. But I am here to serve notice that I will not give up, nor will others who have fought this.

The American people will not allow us to drop this issue. They have been watching this issue closely, because it hits so close to home. I pledge that I will offer the overtime amendment to every piece of legislation until we succeed.

Let’s be clear. This is not just about reversing a destructive, misguided measure. It is also about this Congress asserting its independence and refusing to have its votes nullified at the whim of this administration.

BLOCKING THE ENFORCEMENT OF OUR NATION’S GUN SAFETY LAWS

Mr. LEVIN. Mr. President, the House-passed version of the Commerce, Justice and State Departments Appropriations Bill included provisions that, if adopted, would severely hamper efforts of the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) to enforce our nation’s gun safety laws.

Under current law, dealers are required to notify the BATFE of the sale of two or more handguns to the same person within five business days. The House-passed provisions would prohibit the public release of information related to multiple handgun sales. The House language would also prohibit the release of information related to tracing requests on guns used in crimes. Eliminating the public availability of this data would make it more difficult to monitor the activities of reckless gun dealers.

In addition, the House-passed language would prohibit the BATFE from issuing a rule requiring Federal Firearm Licensees to take a physical inventory of their firearms. A physical inventory recently revealed that a Tacoma, WA, gun dealer could not account for the sniper rifle used by the Washington, D.C. area sniper and more than 200 other guns. The House language would have required the immediate destruction of records of approved firearms purchases and transfers generated by the National Instant Criminal Background Check System. The retention of these records has assisted law enforcement officials trying to prevent guns from getting into the hands of criminals and identifying gun trafficking patterns.

The House-passed provisions were never the subject of hearings and are not supported by any major law enforcement organizations. They could shield reckless and negligent gun dealers from public scrutiny and weaken the BATFE's oversight and enforcement authority. They should not be adopted by the Senate.

ADDITIONAL STATEMENTS

RECOGNIZING THE 1ST ANNUAL MARCH OF DIMES RADIO BROADCASTERS FOR BABIES EVENT

• Mr. BOND. Mr. President, today I recognize the St. Louis radio community for joining together to pioneer the 1st Annual March of Dimes Radio Broadcasters For Babies Event at the Saint Louis Galleria on November 8, 2003. This was the first event of its kind nationwide. Together, Clear Channel Radio, Emmis Broadcasting, Bonneville St. Louis Radio Group, KTRS The Big 550, 1380 THE TEAM, Q95.5 Radio One, Classic 99 and Infinity Radio raised almost \$300,000 to support research and programs to save babies from premature birth, the leading cause of birth defects and infant mortality.

One out of every eight babies in the U.S. is born prematurely, some so tiny they can't even cry. In nearly half of these cases, no one knows why. With their 5 year, \$75 million Prematurity Campaign—no one is working harder than the March of Dimes to find out why babies are born too soon. I commend the St. Louis radio community for their support of the March of Dimes. With their help we will find the causes of premature birth and gain more knowledge to save more babies.●

OREGON HEALTH CARE HERO

• Mr. SMITH. Mr. President, I rise today to salute a trio of Oregon Health Care Heroes. Three agencies, El Programa Hispano, the Desarrollo Integral de la Familia, and the Oregon Council for Hispanic Advancement, are working together to provide much needed mental health services to Oregon's growing Latino community. Their combined effort is helping clients improve relationships, find a listening ear and access the services they need to live healthier lives.

Funded by a grant from Multnomah County, the agencies work with Latino families and individual clients facing a variety of challenges: from depression and anxiety to post-traumatic stress and domestic abuse. Part of the success of this project is that counselor and client share language and culture. Before these agencies began serving clients, finding a counselor who speaks Spanish or understands Mexican and Latin American cultures was next to impossible.

In a recent profile published by the Portland Oregonian, counselor Marcos T. Sanchez discussed the importance of sharing language and culture with clients.

It makes such a big difference when you come in and the receptionist can speak to you in Spanish. People walking by can say, "Have you been helped?" When you go to the clinic, you're already feeling alienated. But if you don't have to risk as much to get these services, you are much better off.

The project is also successful because it networks within the Latino community and employs nontraditional methods to help clients. Therapists conduct home visits to work with whole families and to better understand the needs of individual clients. This individualized approach to care, combined with culturally sensitive services, will ensure that quality care reaches those who need it most. As the service expands, it will serve as a national model for bringing together the best in community care and mental health services.

Through the vision of the Latino Network and the resources of Multnomah County, these agencies are reaching people in need. They connect with people and care for clients in a unique way that is making a real difference in the lives of Latino Oregonians. I thank El Programa Hispano, the Oregon Council for Hispanic Advancement and the Desarrollo Integral de la Familia for their excellent work. They are heroes to the people they serve and to all Oregonians.●

TRIBUTE TO C. BOOTH WALLENTINE

• Mr. HATCH. Mr. President, I give tribute to my dear friend C. Booth Wallentine, who, just days ago, began a very well earned retirement after serving for 41 years in the Farm Bureau. Thirty-one of those years he served as the executive director of the Utah Farm Bureau.

Booth is an institution in my State, and I have to say that when agriculture

issues come up, my first question often is, "What's Booth's take on this?" Even on rare occasions when we have disagreed on an issue, I found it valuable to understand his perspective. As far as I am concerned, nobody knows agriculture in Utah like Booth Wallentine, and I dare say that no state Farm Bureau director knows Congress and the legislative process like Booth Wallentine, either.

This combination of expertise in the substance and in the process of agriculture policy-making has helped to set Booth apart as a highly effective advocate on behalf of Utah agriculture interests. It has also helped him to provide service in various other ways. He served as vice chairman of the Salt Lake Chamber of Commerce as well as chairman of the board of Utah State University. Remarkably, both institutions awarded him their respective distinguished service awards. He also served as the president of the Utah Council on Economic Education and chaired the Utah Farm Service Agency Committee on Risk Management. Somehow he found the time to help establish the National Mormon Pioneer Trail Foundation and was asked to chair the Department of the Interior's Historic Trail Commission.

But wait a minute, there's more. Booth Wallentine was Utah State University's very first inductee in their Agriculture Hall of Fame, he was named the Future Farmers of America Farm Leader of the Year, a Friend of the Cattlemen, a Friend of Utah Wool Growers, and he earned the Utah State Extension Leadership Award. Booth was also officially recognized by the Environmental Protection Agency for his environmental leadership in helping farmers to improve Utah's water quality.

I should point out that this is not a complete list, but it serves to make the point that Booth Wallentine is a great American. He has helped Utah in so many ways.

I know that I will miss him dearly, but I gain some comfort knowing that while he goes into retirement, we continue to benefit from the wisdom he shared with us and the legacy he has left. I thank my friend, Booth Wallentine for serving so long and so well. I pray that the Lord will bless him and his sweet wife, Raeda, in their retirement.●

TRIBUTE TO PHILIP SHANNON

• Mr. DODD. Mr. President, I rise in tribute to Philip J. Shannon, of Norwich, CT, passed away on Tuesday, November 11, 2003, at the age of 85. Philip was a dedicated public servant, a loyal Democrat, and above all, a good friend.

He was a Norwich native who would dedicate much of his life to serving the people of his hometown. He graduated from St. Patrick's School and the Norwich Free Academy. Like so many in