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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord our God, we exalt Your Name, for You are great and highly to be praised. We praise You because Your power is unlimited and You are able to do immeasurably more than we can imagine. You rule over the heavens and the Earth and hold in Your power our breath and our destiny.

Thank You, Lord, for Your sovereignty over the days of our lives. Exercise Your gracious authority over our Nation as You guide our lawmakers in the tasks of freedom. Give them an awareness of Your presence and Your willingness to be an ever-present help for life's challenges.

Help each of us to labor, not only for time, but also for eternity. Let our words and thoughts be acceptable in Your sight, for You are our strength and our Redeemer.

Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

LEADER TIME

The PRESIDENT pro tempore. Under the previous order, there will now be a period of leader time under the standing order.

The Senator from Texas.

SCHEDULE

Mr. CORNYN. Mr. President, on behalf of the leader, this morning we will

have a period of morning business for up to 60 minutes. The first 30 minutes of that time will be under the control of the majority side, and the second 30 minutes will be controlled by the minority side of the aisle. Following morning business, the Senate will resume consideration of S. 150, a bill relating to taxation of Internet access.

Yesterday, we made a little progress on the bill by debating and disposing of one amendment related to the definitions in the bill. Unfortunately, following the vote we were sidetracked with an amendment related to a completely different subject than Internet access.

Currently, we are scheduled for cloture votes beginning Thursday on the Daschle energy-related first-degree amendment to the underlying bill, the Domenici second-degree amendment on energy, and finally the McCain substitute which is on the Internet access tax subject.

The chairman of the committee will be here shortly this morning, and I believe it will be his desire to try to reach agreements to consider amendments relating to the underlying bill. Hopefully that will be possible and therefore rollcall votes will occur on amendments today.

The PRESIDENT pro tempore. The deputy minority leader.

Mr. REID. Parliamentary inquiry: If I do not reserve the Democratic leader's time, he can use that time throughout the day or do I need to reserve it?

The PRESIDENT pro tempore. You may reserve it.

Mr. REID. The leader is here, so I will not do that.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

AGRICULTURAL ISSUES FACING THE COUNTRY

Mr. DASCHLE. Mr. President, I want to talk today about several agricultural issues.

First, last week, I met with John Stewart and Bill Fielding. They run a company called Creekstone Farms that sells premium Black Angus beef cattle.

Creekstone had a good marketing idea: In the wake of the mad cow scare, Creekstone thought that one way to re-open the Japanese markets, which had accounted for 28 percent of our Nation's beef exports, would be to privately test all of their cattle for BSE, or mad cow disease, at no cost to the taxpayers.

The Japanese markets have been closed for several months, but they have said that they would re-open their markets for Creekstone's beef.

Creekstone has built a top-notch laboratory at their headquarters in Kansas, and they have hired several full-time animal health experts. But they wanted to do this the right way, so they asked USDA to support them in their efforts.

The Department actually said "no." They said Creekstone could not test.

You see, USDA doesn't want to set a precedent that all beef needs to be tested. They suggest that large meat packers might essentially be forced into testing all animals. That, USDA contends, would be expensive and, well, inconvenient.

But nobody is suggesting that the Government mandate 100 percent testing. If a meat packer wanted to test, however, it might be a good marketing tool for them.

But the packers say testing would be too cumbersome, that consumers don't want and don't need testing information.

All of those arguments ring very familiar and very hollow. Remember, the packers and the Bush administration opposed another marketing tool—country-of-origin labeling for those very same reasons.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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USDA says that mad cow disease, or BSE, isn't even a public health issue. They say it is only an animal health issue, but tell that to the more than 120 people who died from the human form of BSE in Britain. It was a food safety issue for them. It is a public health issue.

Creekstone even acknowledges, and I agree, that the science does not now suggest that all cattle need to be tested for BSE. They acknowledge that. Most experts do.

But consumers don't always base their purchasing preferences on science. The Japanese, who, by the way, test all of their beef for BSE, want their imported beef tested, and Creekstone was willing to do so, but USDA said "no."

Isn't this the administration that wants the free market to prosper?

Yet, here we have a willing buyer, the Japanese, a willing seller, Creekstone, and the Government says "no."

Government is telling a U.S. business what they can and can't do to add value to their product and create a market.

It is kind of like the Government telling automakers they can't have leather seats. Leather seats aren't needed, but they add value to the cars and make the product more marketable.

So I am hopeful that USDA will revisit this issue. Creekstone and other companies want the ability to meet consumer demand, and the Government should not get in the way.

If USDA wants to establish a testing protocol or some other structure for the testing to ensure that it is done in an appropriate manner and that we don't get false positives, I think we can all agree that such an approach would make some sense. But to deny producers the ability to use another marketing tool baffles me. I think USDA could and should have done better, and I urge them to re-examine the issue immediately.

It is also clear that some of the other things that USDA has been doing need to be reassessed. For example, on Monday, U.S. District Court Judge Richard Cebull granted a temporary restraining order prohibiting USDA from importing ground beef and bone-in beef from Canada.

The judge said, and I agree, that the risk of BSE is simply too great for us to fail to ensure that we have taken a thoughtful and deliberate approach to resuming beef imports from Canada.

Both animal health and food safety demand that we take a science-based approach to the reopening of our border with Canada. Producers are extremely concerned that USDA has not done so.

The judge has scheduled a May 11 hearing, at which time I hope there will be a full examination of the process USDA did or did not use in making their decision to reopen the border.

Ensuring that we get this right is not only important for our Nation's ranch-

ers. It is important for our export markets and consumers of U.S. beef.

Another issue I want to discuss today is what I see as an emerging drought in many parts of the country. The Drought Monitor—a government map that documents the ongoing extent of drought—already shows some problem areas.

The yellow here—and you can see this on the map—denotes conditions across the Southeast, conditions which have continued to deteriorate for most of that region. Southern California, the area in Oklahoma, Arkansas, through southern Missouri and into southern Illinois, and up all the way through Indiana and Ohio and Michigan. You can see that there is abnormal dryness occurring in that area, even getting into the lower parts of the northern regions of Texas.

While there were some rains in parts of the upper-Midwest recently, they missed the western part of Minnesota. And you can see here this is where the extraordinary conditions are now becoming even more adverse, creating what the Drought Monitor categorizes as "severe drought" conditions, represented of course in the areas here in the orange and darker areas. The darker the color, the more severe the drought.

In my State of South Dakota, we have been able to avoid some of the most severe parts, but you talk to ranchers and farmers today and it is clear that this drought that we now see through almost the entire western part of the United States is moving east.

South Dakota has now experienced a drought in each of the last 5 years. The experience has been daunting. But there is one thing we have learned in dealing with drought and other weather-related natural disasters: Our national policies are wholly inadequate. By any legitimate standard, our policies have failed.

In 2002 the Senate approved, on a bipartisan basis, an amendment that I offered to provide \$6 billion in disaster assistance. Unfortunately, the administration blocked its enactment.

But that was then, and today is, hopefully, a different story. Today, I think we need to take a serious look at what more we can do this year.

That is why today I am asking the President again to re-examine this issue, while we still have time. I am urging him to take a fresh look at what we can do, through an inter-agency approach, to address what appears to be another extreme drought this year—already extreme in some parts of the country, and certainly moving, as we have said, to the Great Plains States as well.

Although USDA should take the lead in this effort, the SBA, the Economic Development Administration, and other agencies, including, but not limited to, FEMA, can all play a role in finding a solution to this ongoing problem.

That is why I have requested that the President immediately ask the Federal

agencies involved to develop a comprehensive legislative proposal to address weather-related natural disasters that impact our Nation's farmers, ranchers, and rural communities.

If he does this now, and receives a report back within 45 to 60 days, the Congress will still have time this summer to enact meaningful disaster assistance.

In my letter to the President sent earlier today, I pledged that, once he has provided Congress with such a proposal, I will work with him and all of my colleagues in a bipartisan fashion to approve whatever disaster-related assistance is necessary to adequately compensate producers and keep our nation's rural communities vibrant.

We can prepare now for what looks like another very bad year for agriculture.

Drought victims are no less deserving of Federal assistance than those who are impacted by a flood, tornado, or hurricane. As Federal officials, we have an obligation to respond more effectively than we have in the past.

Working together, with the leadership of this administration, I hope we can.

RESERVATION OF LEADER TIME

Mr. CORNYN. Mr. President, I ask unanimous consent that the Republican leader's time be reserved for his use later in the day.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes with the first half of the time under the control of the majority leader or his designee, and the second half of the time under the control of the Democratic leader or his designee.

The Senator from North Carolina is recognized.

FSC-ETI AND JOBS BILL

Mrs. DOLE. Mr. President, when I came to the United States Senate last year, it was with great optimism—with a mission to get real results accomplished for my North Carolina constituents and for our great Nation. During my tenure in the Department of Transportation, the Department of Labor, and the American Red Cross, I was blessed with the opportunity to tackle some very important and challenging issues—like the sale of Conrail, modernizing the American Red Cross, settling a bitter coal strike, transferring Dulles and National airports from Federal control to ensure that Dulles' capacity would be doubled and the gateway to the Nation's capital would be our beautiful new airport. These issues required me to work with colleagues from both sides of the aisle at