

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

every turn. If I had just tried to work with Republicans when tackling these matters, you can bet that nothing would have ever been accomplished. These success stories were achieved in a bipartisan and constructive manner. I looked forward to the same experience when entering this great body last year; however, the pattern of obstructionism occurring over the past few months is at a crossroads.

The opportunity to vote—to even vote—on the following legislation has been blocked:

**Medical liability reform:** After a comprehensive bipartisan bill was blocked last July, two additional targeted attempts to protect access to ERs and OB-GYNs were blocked February 24 and April 7.

A comprehensive Energy bill has been thwarted for 3 years—3 years. Passage would not only create an estimated 1 million American jobs but also reduce our dependence on foreign oil. Energy tax relief that would have created an estimated 650,000 jobs was also blocked on April 7.

**Workforce Investment Act:** This legislation, projected to help more than 940,000 dislocated workers obtain the training they need to get good jobs was passed by both the House and Senate but now my friends across the aisle refuse to even appoint conferees.

There are other examples of blocked legislation: Class action reform, Faith based/charities—the Care Act—welfare reform, and the Fair Act—Asbestos—but I want to highlight the legislation that could directly benefit the economy. And I use the word “could” because unfortunately none of this legislation can even get the courtesy of an up or down vote.

You cannot have it both ways. You cannot come down to the Senate floor and deride the administration’s economic policies—then, in the same day, vote to block job-creating legislation.

A piece of legislation that underscores this point is S. 1637, the JOBS bill. Why in the world would we not be passing this legislation? I really want to know the answer so I can tell my constituents, in a State that has been hit especially hard by manufacturing job losses. Why is there objection to removing tariffs from our companies? Why is there objection to cutting taxes on manufacturing companies when they need it most? I must be missing something. When a bill is passed out of the Finance Committee 19-2—yes 19-2—and it is blocked from coming to a vote on two separate, that is simply outrageous.

Those of us on both sides of the aisle recognize the need to deal with the increasing concerns associated with the current Extraterritorial Tax Regime ETI. The World Trade Organizations has determined that if not repealed, the current rules for exportation would necessitate \$4 billion in tariffs. If passed, the JOBS bill will not only eliminate the WTO’s exorbitant tariff imposition; it will also replace ETI’s

tax relief with a tax deduction for domestic manufacturers.

At a time when America’s manufacturing industries need immediate relief, the benefits of this legislation are clear—and the necessity of its passage is obvious. However, Senate Democrats are continuing to play petty political games and in so doing, are preventing direct aid to our hurting manufacturers. These partisan antics harm our American businesses directly—businesses run by men and women who deserve better from their elected officials.

I am particularly focused on this issue because North Carolina has areas that are severely affected by the loss of manufacturing jobs, mainly in textiles and furniture. This past summer, North Carolina experienced the largest layoff in State history when textile giant Pillowtex closed its doors forever. The result of Pillowtex’s closing was 4,400 people losing their jobs in a single day—and eventually nearly 5,000 being laid off.

In eastern North Carolina, layoffs and plant closures have resulted in more than 2,200 layoffs since last summer. In just the past few months, the western region of North Carolina has lost more than 1,500 jobs. And in February, 22 of North Carolina’s 100 counties had double-digit unemployment rates. Now there are signs that the situation is improving—initial data for March unemployment in North Carolina shows that just four counties have double-digit rates—but we must take action to help our manufacturers and to ensure upward trends will continue.

Action can begin with final passage of the JOBS bill. This is not the time for political games. This is a time for doing what is right for the American people—and providing our manufacturers with legislation that will directly benefit their businesses. I urge my colleagues to allow the final vote on the passage of S. 1637 to protect our companies from undo tariffs and excessive taxes.

Democrats say they want to find a way to rejuvenate our economy and prevent more factories from shutting down. If they are truly searching for such answers, then why don’t they step forward and allow for the solution to reach final passage? I am hoping my friends on the other side of the aisle will remember the American people who depend on Congress and put aside partisan antics and pass good legislation. We need to put an end to this obstruction and work together to get things done in the Senate.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Kentucky.

#### 9/11 COMMISSION AND IRAQ

Mr. McCONNELL. Mr. President, I wish to talk about a couple of events that are in the news: the proceedings of the 9/11 Commission and the debate about the President’s policy in Iraq.

As I said last week, I am troubled by the partisanship and public posturing of some members of the 9/11 Commission, both in the hearing room and in TV studios.

I am not the only one who is troubled. The former National Security Advisor under President Clinton, Tony Lake, has said the hearings are “a sad spectacle that has become so partisan.”

And Max Holland, a former fellow at the University of Virginia who is writing a history of the Warren Commission, notes that “in some respects” the proceedings of the commission are “definitely a new low.” He added that “this is a commission charged with establishing facts and the truth rather than posturing for political gain. But some of the hearings amounted to lecturing and posturing.”

Still others, like Professor Juliette Kayyem, of the Kennedy School of Government at Harvard, who served on a congressional terrorism panel to investigate the 1998 African embassy bombings, have questioned why 9/11 commission members have granted so many interviews. She notes that “they have become too public,” and that “tempts commissioners into making assessments and conclusions prematurely.”

My understanding of the 9/11 Commission was that it was to impartially determine the facts and make non-partisan recommendations on how to go forward.

So far, the 9/11 Commission’s descent into “gotcha” questioning has only highlighted a tendency to fight each other rather than the terrorists. Unfortunately, while American politicians are busy blaming each other, the terrorists are busy plotting our doom.

This partisanship, unfortunately, is not confined to the 9/11 Commission. Clearly, the central front in the war against terrorism has shifted to Iraq. Al Qaeda operatives and foreign terrorists have flocked to Iraq to make a desperate final stand against American troops, and we must see to it that they lose.

On the issue of Iraq, the most important thing this body could do is to have an open and honest debate about how to build a moderate democracy in that country. If Senator KERRY, in particular, believes he has a solution to the difficult challenges facing our troops and diplomats in Iraq, let him offer a plan, rather than simply guessing and criticizing.

Let me be clear: placing the UN in charge in Iraq is not a plan. It is a pure fantasy.

America did the right thing by liberating the Iraqi people from Saddam’s tyrannical regime, and by so doing, we are making the American people safer. Succeeding in our efforts to help the Iraqis replace one of the most repressive regimes on the planet with the single most representative government in the Arab World will dramatically alter the political landscape of the Middle East.