

My point is to remind my fellow Senators today not to be blindsided again by the American Meat Institute, like happened in 1998 to kill legislation back then, because I don't want a similar thing to happen with what some of us Senators are proposing this year. This is important because Senator FISCHER and I are soon to introduce legislation to update livestock price transparency.

Now, I will read. This is a long reading.

How Campaign Money, Republican Lobbyists Killed Mandatory Price Reporting:

In the heat of last October's upcoming election and Congress' hurry-get-out-of-town legislating, the draft of a massive \$4 billion farm bailout bill—which included federal relief for cash-strapped farmers and mandatory public price reporting in livestock markets—was in place as congressmen and senators flew home for a weekend of campaigning.

When the lawmakers returned the following Monday, however, mandatory livestock price reporting was virtually gutted, butchered by well-connected Republican lobbyists and huge sums of political action campaign money from the meatpacker-backed American Meat Institute.

How this deboning occurred is an object lesson in how private money often thwarts public will and why solid, sensible farm policy often dies at the hands of craven politicians and legions of lobbyists.

In July 1998, Senate Minority Leader Tom Daschle, D-SD, put mandatory price reporting in livestock markets into what was then a modest \$500 million farm drought relief bill. Daschle, responding to years of complaints from his state ranchers over meatpacker concentration, didn't ask for the moon. All he wanted was a one-year experimental program that required meatpackers to publicly disclose the prices they paid when buying livestock from producers.

But as the ag economy continued to skid in late summer, the bill's cost escalated and so did the warning over what the bill would include. Daschle's price reporting request also came under attack from the AMI, the meatpacker lobby in Washington. Packers viewed the idea as costly—estimated by USDA at \$60 million per—and unnecessary.

Yet as momentum picked up for an even bigger farm relief bill, mandatory price reporting opponents like AMI sensed Daschle's efforts would be adopted as the "save-the-farm" rhetoric built after Labor Day.

To shoot down Daschle's plan, AMI hastily bought some bazookas. In early September, AMI hired [Lobbyist No. 1] . . . a member of one of Washington's most powerful Republican lobbying firms.

For an extra pop, reported the October 25, 1998 Washington Post, AMI also hired two other Republican leaders-turned-lobbyists, [Lobbyist No. 2] and [Lobbyist No. 3]. . . .

Now plugged into the Republican power grid, AMI turned on the juice. During the 1998 election cycle, AMI doled out \$198,473 in political action committee money raised from executives of member firms like Cargill's Excel, ConAgra's Monfort, Kraft's Oscar Myer, Premium Standard Farms, Farmland Industries, and Smithfield Foods. Most of the money went to Republican candidates.

In fact, according to the Center for Responsive Politics, a nonpartisan campaign

watchdog group, \$165,973 or 84% of AMI's 1997-98 PAC cash landed in Republican campaign coffers. House Republican candidates got \$114,973 of the meatpacker lard; Senate Republicans got \$51,000.

But as the crucial October legislative deadline approached, mandatory price reporting was still alive in the farm bailout bill's final draft. Then AMI lobbyists and money began to get traction.

The lobbyists, in particular [Lobbyist No. 1], a longtime pal of fellow Mississippians—and Republican Senators—[Senator No. 1] and [Senator No. 2] got the price reporting legislation pulled from that ag bill. Senate Democrats and a few of their farm state Republican colleagues were furious.

Daschle struck back. With [Senator No. 2's] blessing, he folded mandatory price reporting into the even bigger \$520 billion omnibus 1999 Budget Bill that was still hanging fire. Two days later, it too was gutted by Republicans into a meaningless "confidential one-year government investigation, during which livestock prices would not be disclosed" by the packers, according to the Washington Post.

Sources say [Lobbyist No. 1] buddy [Senator No. 1] wielded the knife. As chairman of the Senate Ag Appropriations Subcommittee, [Senator No. 1] refused to fund any new price reporting effort as part of the bailout bill, thus killing it there. Later, at the behest of [Lobbyist No. 1], [Lobbyist No. 2], and [Lobbyist No. 3], [Senator No. 1] neutered mandatory price reporting in the Budget Bill by keeping any information gained through it "confidential."

Now the National Pork Producers Council, a past opponent of mandatory price reporting, the American Farm Bureau, the National Cattlemen's Beef Association, and Secretary of Agriculture Dan Glickman are calling for publicly disclosed, mandatory price reporting legislation from Congress.

An AMI spokesman said the group will fight the new effort, but didn't know if [Lobbyists 1, 2, or 3] would carry water for the packers in 1999. Yet, he adds, referring to [Lobbyist No. 1], "He served our purposes well last year."

No kidding. But the meatpackers paid assassins—[Lobbyist No. 1] and his Republican pals—stuck a knife in the back of every livestock producer in America last fall. And it's still there.

Now, that is the end of my reading of the March 1999 article by Alan Guebert in the Southern Livestock Review.

So you see, many of the same hurdles that we went through in '98 are the hurdles that we are facing now with making needed cattle market reforms.

The same high-powered and well-connected lobbyists who work for the Big Four meat processors are still the same high-powered and well-connected lobbyists who are lobbying against the market reforms of today. Those reforms are being proposed by a bipartisan group of Senators and will soon be introduced.

But I have got news for you. The special interests of the meat packers don't have a vote in the U.S. Senate.

Last week, Senators FISCHER, TESTER, WYDEN, and I announced a framework to increase price discovery and transparency in the cattle market.

You will never guess who, once again, is fighting this commonsense legislation—the very same group that I referred to as AMI, the American Meat Institute, now called the North Amer-

ican Meat Institute; that same group that, in the 1990s—or—yeah, the 1990s—was against the livestock mandatory reporting legislation has come out against the independent cattle producers again today.

See, these powerful corporations are against any reform that would give independent producers more leverage in negotiating a fair price for their cattle.

In 1998, South Dakotan Tom Daschle led the charge against these big meat packers. And while the livestock mandatory reporting was stalled in 1998, in 1999, Senator Daschle was able to get that across the finish line. And it is still law, but it isn't a perfect piece of legislation, and our proposals ought to improve it dramatically.

Now we have Senators, farmers, consumers from all over the country who want to see reforms. Livestock farmers are losing money, consumers are paying record high prices for beef, and meat packers are making record profits.

Now, I am sharing this story today to show that even changes that we now view as common sense were once opposed by the meat industry. We still have time this year to make real market reforms that will help independent producers stay in the cattle business.

I urge my colleagues to support a piece of legislation that we have entitled Cattle Price Discovery and Transparency Act and support independent cattle producers.

I hope you will join Senator FISCHER, this Senator, Senator TESTER, and Senator WYDEN and several other Senators in the last 24 hours that have joined this effort.

These reforms are long overdue, and we can't let these special interest groups, like the North American Meat Institute, stop this important legislation like I just described for you how they stopped it in 1998. And thank God Senator DASCHLE didn't give up, because the next year he eventually got it done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

BIDEN ADMINISTRATION

Mr. BARRASSO. Mr. President, this morning, the majority leader came to the floor of the Senate to talk about the Democrats' reckless tax-and-spend-ing bill.

Now, he repeated the claim that the bill would actually reduce inflation. It won't. Just like the claim the President makes that the cost of the bill will be zero, the American people know that that is not true either.

The majority leader asked a question. He asked why not a single Republican would support the bill. Well, I am

happy to respond to the majority leader and explain why the American people and the Republicans are rejecting what the Democrats are trying to force through the Congress.

So I come to the floor today to talk about rising prices. Next Thursday will be the most expensive Thanksgiving ever. As the New York Times put it, the Thanksgiving dinner will wallop your wallet. Turkey prices are up 25 cents on the dollar so far this year. Prices for meat, poultry, fish, and eggs are up more than 10 cents on the dollar in just 1 year.

Companies like Nestle and Procter & Gamble, well, they put out warnings that they are raising their prices.

Who would have thought that in just 10 short months of the Biden Presidency we could set a record—a 30-year high record for inflation?

Millions of families this year will sit down for Thanksgiving dinner, and in addition to eating turkey, families around the table will also be talking turkey. They are going to have difficult conversations about how to make ends meet.

According to one estimate, families are now paying about \$175 more every month because of inflation for the same things they were getting before Joe Biden became President. This works out to a \$2,000 bite out of the paychecks annually of every working American.

So what is happening? Why is it happening?

It is for at least three reasons. First, Joe Biden's incompetence and mismanagement has caused the worst supply chain disruption in at least 40 years.

Now, the supply chain crisis is largely the result of a labor shortage. Last week, the New York Times called the shortage of truck drivers—truck drivers; not of trucks, but of the drivers—the single biggest cause of the supply chain crisis.

We don't have enough goods in large part because we don't have enough workers. This is the worst labor shortage in American history. There are more than 10 million jobs which have gone unfilled in recent months. We have broken new records for unfilled jobs in 5 of the last 9 months that Joe Biden has been in office.

This isn't a coincidence. This is happening because of the policies that have been put in place by the Democrats in this administration.

In March, President Biden and the Democrats extended a bonus payment to people who stayed home from work. Millions of people made more money by staying home instead of going to work. Well, in September, the bonus payment ran out.

Then President Biden announced a nationwide vaccine mandate on the American people. Having been traveling around the State of Wyoming this past week, I will tell you it is a mandate that is taking a sledgehammer to the American workforce.

Now, I fully support vaccination. I am a doctor. I am vaccinated, so are all the members of my family. I am pro-vaccine and anti-mandate. Imposing new mandates on workers during an unprecedented labor shortage is complete incompetence.

Now, this mandate is only making the supply chain crisis worse. The President must have known that many would not comply with this mandate. He must have known that people would be forced out of their jobs by his mandate. It didn't seem to faze him; he imposed the mandate anyway. Now people are losing their jobs, shelves are empty, and prices continue to go up.

The second major reason why prices are rising is President Biden's war on American energy. Thanksgiving is traditionally one of the busiest travel times of the year. AAA estimates that more than 50 million Americans will take to the highway and travel next week—pretty standard for a Thanksgiving weekend. Those who drive will pay a lot more for gas than they did last year or the year before. It is the highest in 7 years. Gas prices are up about \$1 a gallon in the number of months that President Biden has been in office. It is more expensive to travel.

And it is getting more expensive also to stay warm. One in five American families has already cut spending to pay for their energy bill in the last year. Winter is coming. It is going to get worse. Some will have to choose between whether they can heat their home or whether they can eat a meal. Prices are so high, 11 Democratic Senators are pleading with the President to bring down gas prices.

So what is Joe Biden's solution?

Well, he admits he has no solution. He says that gas prices are going to stay high until the springtime.

One of the President's top nominees for the Treasury Department says she wants to "starve"—starve—American oil and gas. She actually said that we want—in her mind—"we want [oil and gas companies] to go bankrupt." She is the nominee to be the Comptroller of the Currency.

The Secretary of Commerce was asked what the administration was doing to lower energy prices. She couldn't name a single thing.

The Secretary of Energy apparently thinks high gas prices are funny. She was asked what she could do to increase oil production in America. She laughed and said: "That is hilarious."

The Secretary of Transportation also thinks it's funny. He is joking around that people need to start Christmas shopping early this year.

So there you have the elites of the Biden administration—the elites of America—the people he has chosen to run these Agencies. They think it is funny. It is no laughing matter for the working families in Wyoming or all across America.

So who gets hurt by high prices?

The poor, people living on fixed incomes, families struggling to get by.

Working families cannot afford what the Democrats are offering.

Since Joe Biden became President, prices have gone up much faster than wages. In other words, the American people have taken a cut in the spending value of their paychecks. They can buy less with the same amount of money. And even if they have gotten a bit of a raise, the prices are taking a greater and greater bite out of that paycheck.

So as we approach Thanksgiving, Democrats in Washington want to spend like it is already Black Friday. Democrats seem to think that every day is Black Friday, when you take a look at this reckless tax-and-spending bill where every page is over \$1 billion of spending.

They have already put \$2 trillion on the credit card earlier this year. This is in addition to the bipartisan coronavirus relief that the Senate passed last year. But for Democrats, there is never enough spending. Taxing and spending: it is an addiction. They want to print more money, they want to spend more money.

And right now, Democrats are pushing a reckless tax-and-spending bill, which will make inflation in this country even worse. Democrats say that the bill that they are proposing in the House right now will cost \$2 trillion.

The Congressional Budget Office will give a final report the end of the week. Experts say, if all of the programs they are proposing were to stay in place for the full 10 years in the budget system, the price is much closer—if not exceeding—\$4 trillion.

So if the Democrats pass this bill, we are talking about more spending, more debt, and higher prices. We are also, of course, talking about more taxes that ultimately will hit everyone in this country one way or the other.

Last week, the New York Times reported "many researchers . . . say the bill is structured in a way that could add to inflation next year." Not just this year; next year as well.

Experts say this bill could increase the cost of childcare up to \$13,000 for each and every family in America whose children need that care. This is already one of the biggest expenses on working families. They will nearly double that.

And, of course, Democrats' spending spree would add over \$400 billion in taxes on America's small businesses—the mom-and-pop businesses in the communities all around this country.

Interestingly, at a time of high energy costs—we had a hearing about this this morning in the Energy Committee, the trend in prices on energy. Astonishingly, what the Democrats are proposing at this time are the highest natural gas prices in 7 years, and a tough season coming for the cost of heating oil and heating gas. This could raise taxes on American natural gas as well, when prices are at a 7-year high.

What happens to these costs with these taxes?

Of course, they get handed off to consumers in the form of higher prices.

If Democrats pass this bill, the American people are going to pay more at the pump, more at the store, and more on tax day.

So, last week, the nonpartisan Tax Policy Center said this bill would raise taxes on nearly one-third of middle-class families.

Didn't Joe Biden say he wasn't going to do that?

Well, who is right: the President of the United States, whose approval is at an all-time low and only 21 percent of Americans think the country is going in the right direction, or the Tax Policy Center that says that a third of all middle-class families will end up paying more taxes if this is signed into law?

This is a blatant violation of the President's campaign promises. The last thing the American people need right now is higher taxes, more debt, and higher prices. The last thing the American people need is this reckless tax-and-spending spree.

It is no wonder that 71 percent of Americans think our country today is on the wrong track, and this includes many Americans who actually voted last November for Joe Biden.

What do the American people want?

Well, they want us to produce more American energy so they can pay less for energy. They want us to make it easier for people to get back to work. They want higher wages and lower prices.

That is not what we are hearing from the Democrats.

So that is my response to the majority leader when he asks why not a single Republican would support this reckless tax-and-spending spree.

With Thanksgiving coming, we need to stop this reckless spending "cold turkey."

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VACCINES

Mr. LEE. Mr. President, last week, the U.S. Court of Appeals for the Fifth Circuit issued an emergency stay on President Biden's sweeping vaccine mandate. The court granted the stay, citing "grave statutory and constitutional issues" with the mandate. The 22-page order is persuasive and compelling in explaining the grave effects the mandate will have on businesses and individuals alike throughout the United States.

The order also explains that the limited nature of the Federal Government under the Constitution simply doesn't allow for sweeping mandates of this nature, generally, but it certainly doesn't allow for sweeping mandates like this one without an act of Congress. You

see, our powers within the Federal Government are carefully circumscribed; they are carefully constrained. The Constitution brings about a balancing, a limitation on powers that operate along two axes. The vertical constraint is called federalism, and the horizontal constraint is something we refer to as the separation of powers.

The Federal Government's powers are, as James Madison described them in Federalist No. 45, "few and defined," while those reserved to the States are "numerous and indefinite." Likewise, within the three branches, we have these protections in place to make sure that no one person can exercise what power the Federal Government does have exclusively; you can't accumulate too much power. So the President of the United States, under our constitutional system, isn't a King and may not rule by decree. He is not free to just do things because he thinks they are a good idea.

The judges also, refreshingly, asserted the commerce clause of the Constitution and brought up the commerce clause as the source of the claimed authority for Federal action under this circumstance, noting that, even under broad interpretations of the commerce clause that we have seen from the Federal court system since 1937, the commerce clause is not unlimited in the scope of the authority that it provides to the Federal Government, and in this case, it certainly doesn't authorize the Occupational Safety and Health Administration to issue a sweeping vaccine mandate on all companies with more than 99 employees nor does the commerce clause even authorize Congress to undertake such an action, which, of course, Congress has not undertaken.

We have erred dangerously, over many decades, from the true application of the Constitution's limits. In many respects, we have lost sight even of the fact that this is a government of limited powers, and now that lack of those limits—the lack of respect for those limits within those who operate the Federal Government—is placing millions of Americans at risk of not only becoming unemployed but, in many cases, unemployable. Some in Congress are, today, taking it even further in asking the President of the United States to impose a vaccine or a test mandate as a condition precedent for interstate travel.

Now, I have heard from hundreds of Utahns who are at risk of losing their jobs because of this now, thankfully, halted mandate. These are not bad people. To the contrary, they are good people. They are our neighbors and our friends. They are everyday Americans who are all too often just trying to get by to provide for their families. They are not our enemies, and it is troubling to think that the President of the United States said—on national television no less—that he is "losing [his] patience" with them. What does that

even mean? In fact, recent polling numbers show that, if anything, it appears to be the other way around. We are losing patience with him and with his broad assertions of authority that he doesn't even have.

I have come to the Senate floor about 15 times now to oppose this vaccine mandate. I have offered a dozen bills to limit, clarify, or otherwise counteract the vaccine mandate. Each time, one or another of my colleagues from the other side of the aisle has objected to what should be uncontroversial bills. Let's review each of these that we have gone through so far.

Now, this started back on September 28 with S. 2850. This bill, S. 2850, would have provided exemptions for those with religious or moral objections to the vaccine mandate. President Biden, significantly, had promised these exemptions would be in the mandate, but for some reason—for some reason that I struggle to understand—Senate Democrats, nonetheless, objected to the passage of that bill.

So then I came back, and I offered up S. 2840, the Don't Jab Me Act, a bill that would require that the Federal Government make those who suffer from the vaccine mandate financially whole. The Democrats rejected that bill too.

Next, I offered S. 2843, the No Taxation Without Congressional Consent Act, a bill that would require congressional authorization before the fines associated with the mandate could be charged to businesses. Notwithstanding the fact that the Constitution is very clear about where taxes need to originate within our system of government, the Democrats objected to that bill as well.

So then I came back with another bill. This time it was S. 2848, the Your Health Comes First Act. This is a bill that would offer exemptions from the mandate to those who have preexisting medical or other health concerns about the vaccine. This is also another exemption that President Biden himself promised in his speech when first announcing the vaccine mandate, but it is an exemption that the Senate Democrats, apparently, didn't feel worthy of codifying with legislation, and so they objected to that one too. This one was particularly surprising because if, in fact, President Biden himself felt comfortable with those exemptions, one would think that there wouldn't be discomfort with codifying what he himself said should be the law.

So then, in response to that, I returned to this Chamber on another day, and I offered up S. 2846, the Natural Immunity is Real Act. This bill would require that the Federal vaccine mandate recognize natural immunity. Countries across the world recognize this immunity for the powerful protection that it, in fact, provides, a protection that, according to some studies, may be as much as 27 times stronger than that offered by the vaccine alone. Unfortunately, President Biden's mandate wasn't so generous on that point.