

miles across rough water on a wooden door, drinking their own urine, just to set one foot on American soil?

Where are the iron gates and armed guards? Where are the mass graves of innocent citizens, murdered for disloyalty to the dictator? There are none to be found on our soil. They do not exist. Why? Because we do not live under a dictator. Was President Lincoln a dictator? No, he even had to go to war with the south for freedoms we still enjoy today.

In closing, if this was a war for oil, why haven't we just taken over the entire country of Iraq and added it as the 51st state? I am proud to say, I am a gun-carrying Republican, and honored to be a part of the great-nation on earth.

America, be thankful for the freedom we enjoy because freedom is never free.

That is one of many letters that I receive wondering why more things are not said about the way the war is going in Iraq from the perspective of our troops who are over there, who are talking to the people who are affected by it.

Our troops are affected by what they hear and read from over here. They get their local newspapers. They get letters, and they want their message out, too. This is a perspective from a young man serving in our military, one of many.

A few years ago, one of the TV stations that goes into schools across this country did a show called "Young Men Who Saved the World." It was about World War II. The reason they ran this show was because there were a lot of reunions happening among soldiers who had been a part of World War II, and they were all old guys. The people in the schools were getting the impression that the war had been fought by old guys. So this channel that goes into these schools did this special broadcast.

What they did was go back and find the pictures of these men when they actually served in the military. They were young men. It made a distinct impression on the kids of this country that there were young people out there recognizing the value of freedom, the value of democracy, and willing to put their lives on the line to see that it was shared around the world.

I thank you, Sailor Freeburg, for your letter and for the message that needs to be delivered to the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. DURBIN. Mr. President, I ask unanimous consent to be recognized in morning business.

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

FOOD SAFETY

Mr. DURBIN. Mr. President, last Friday the Nation's largest grower of organic produce announced a recall of fresh spinach products that they feared could be linked to the deadly e-coli outbreak. So far, the Food and Drug Administration has reported that a 77-year-old woman from Wisconsin has died, 14 persons have suffered from kidney failure, and at least 94 individuals have fallen ill after eating prepackaged spinach suspected of being contaminated with e-coli. That is a total of 109 people in 19 different States.

This is not the first time produce has been contaminated with e-coli. According to the Center for Science in the Public Interest, between 1998 and 2004, there were 492 e-coli outbreaks that were linked to fruits, vegetables, and fresh produce products such as prepackaged salads. In fact, there were 86 outbreaks in the year 2004 alone.

The Centers for Disease Control and Prevention, the CDC, estimates that as many as 76 million people suffer from food poisoning in our country each year. Of those individuals, 325,000 will be hospitalized, and more than 5,000 will die. Children and the elderly are especially vulnerable.

Despite these statistics, our food supply is still the safest in the world. However, there are widening gaps in our food safety system due to the fact that food safety oversight has evolved over time and has spread across so many different governmental agencies. Several Federal agencies, all with different and sometimes conflicting missions, work to ensure that the food we eat is safe. The U.S. Department of Agriculture's Food Safety and Inspection Service regulates meat, poultry, and processed egg products. The Food and Drug Administration Center for Food Safety and Applied Nutrition and Center for Veterinary Medicine regulate produce and other food products. Finally, the Centers for Disease Control and Prevention tracks food-borne illnesses.

One stark example of the inconsistencies in our food safety system is the lack of standardization for food inspection. Processed food facilities may be inspected by the FDA once every 5 or 6 years, while meat and poultry operations are inspected every single day by the U.S. Department of Agriculture. This mismatch, piecemeal approach to food safety could spell disaster if we don't act decisively and wisely. That is why, since the 105th Congress, I have been pushing for a single food safety program. It is not a new idea. In fact, one of my predecessors is U.S. Senator Charles Percy, of Illinois, who raised this same issue several decades ago—and he wasn't the first.

It doesn't take a person with an advanced degree in government to look at so many different agencies of our Federal Government doing some part of food safety and wonder why we don't put the whole responsibility under one roof, guided by science and an oper-

ation that is administered by true professionals. Instead, what we have done is watched as our food safety system has evolved. From Upton Sinclair's landmark novel "The Jungle," which shamed America through the Teddy Roosevelt administration into creating the first food safety standards for our country, to the most recent outbreak, we are reminded time and time again of our vulnerability.

We assume that the food we are eating and the food we are serving to our families and our children and our elderly parents is safe, and by and large it is the safest in the world. But we can do better, and this e-coli outbreak involving spinach is a reminder.

This bill that I push would give that single food agency the authority to protect the food supply based on science. This agency would provide our country with the greatest hope of reducing food-borne illness and preventing or minimizing the possible harm from any bioterrorist attack involving our food supply.

Former HHS Secretary Tommy Thompson told reporters, when he resigned in December 2004, that he worries "every single night" about a massive attack on the U.S. food supply. Here is what he said. Tommy Thompson, a member of President Bush's Cabinet, said this:

I, for the life of me, cannot understand why the terrorists have not, you know, attacked our food supply, because it is so easy to do. And we are importing a lot of food from the Middle East, and it would be easy to tamper with that.

We recognized the need for a unified Department of Homeland Security, but we have not taken the same step with our food supply.

I might say, parenthetically, that it has been my experience in Washington that when I raise this issue with people currently serving in an administration, either as Secretary of Health and Human Services or Secretary of Agriculture, they have real problems with the idea of bringing all of these responsibilities under one roof and coordinating this effort and stopping the duplication and mismanagement. It is not until they leave Government, in their farewell speech, that they all say: And you know, one thing we should have done is we should have brought all that food safety under one roof.

This is a problem for those who face the special interests groups that are afraid of change. But this change is a change America needs—to have food safety based on science and an agency administered by real professionals.

S. 729, the Safe Food Act of 2005, would create a single, independent Federal food safety agency to administer all aspects of Federal food safety, including inspections, enforcement, standards-setting, and research in order to protect the public.

The components of the agencies now charged with protecting the food supply, primarily housed at the Food and Drug Administration and the Department of Agriculture, would be transferred to this new agency.

The new Food Safety Administrator would be responsible for the safety of the food supply and would fulfill that charge by implementing the registration and recordkeeping requirements of the 2002 bioterrorism law.

We would also ensure that slaughterhouses and food processing plants have procedures in place to prevent and reduce food contamination; regularly inspect domestic food facilities, with inspection frequency based on risk; centralize the authority to detain, seize, condemn, and recall food that is adulterated or misbranded; examine the food safety practices of foreign countries and work with States to impose various civil and criminal penalties for the serious violations of food safety laws; and, finally, require food producers to code their products so those products can be traced easily in the event of a food-borne illness outbreak in order to minimize the health impact of an event like the spinach contamination we presently face.

In this most recent outbreak involving spinach, 22 days passed from the time the first illness was reported to the Centers for Disease Control to the time the Food and Drug Administration issued its warning. In this area of food safety, time is of the essence. It was 3 weeks from the first serious outbreak and illness until there was a warning issued by the FDA. That is too long. Too many people were exposed to serious e-coli contamination, which can be deadly.

It is time to create a single food safety agency in this country. The Government Accountability Office has been calling for it for more than 25 years. In February 2005, a GAO report showed that Government officials in seven other high-income countries who have consolidated their food safety systems consistently state that the benefits outweigh the costs.

In a 1998 study, the National Academies of Sciences concluded that "a model food safety system should have a unified mission and a single official who is responsible for food safety at the Federal level and who has the authority and the resources to implement science-based policy in all Federal activities related to food safety."

While I was speaking, a member of my staff handed me a note informing me that we now know there has been an Illinois case which has been reported of e-coli contamination, apparently from spinach. Now 20 States across our Nation have been affected. In this Illinois case, an elderly woman has been hospitalized with kidney failure related to tainted spinach, marking the first confirmed illness in my home State of Illinois linking the outbreak of e-coli in the leafy green vegetable. Illinois State public officials announced today that this woman lives in north-central Illinois. She became ill late in August and is now hospitalized with hemolytic uremic syndrome, a form of kidney failure which can be associated with this strain of e-coli

linked to the tainted spinach, according to this report from the Illinois Department of Public Health.

This is another example, and the numbers continue to grow. We are going to do our best to contain them and to inform the public to keep the food supply safe for everyone. But we can do better in Washington. It is time to sit down with the special interest groups who have stopped this change and to come up with a reasonable bipartisan approach. There isn't anything partisan about this issue, not in any way whatsoever.

One of my closest friends from Chicago went out and bought some hamburger at a local grocery store years ago, took it home, and gave it to her 5-year-old boy. That poor boy was exposed to e-coli and died a few days later, a gruesome, horrible death. She became an advocate for food safety. She took her grief and turned it into energy to try to spare some family in the future from a similar tragedy. I hope it doesn't take the families of those who have been hit by this e-coli to form a group and push Congress into action. It is time that we took the initiative.

Factors such as emerging pathogens, an aging population at high risk for food-borne illnesses, an increasing volume of food imports, and people eating outside their homes more than ever underscore the need for change.

We need to change and shed the old bureaucratic shackles that have tied us to the overlapping and inefficient ad hoc food safety system of the past.

I urge my colleagues who are undoubtedly going to hear about this e-coli contamination and wonder how they can respond to take a look at S. 729, the Safe Food Act of 2005. Please join me in cosponsoring this landmark legislation.

I yield the floor and 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTERROGATION OF DETAINEES

Mr. INHOFE. Mr. President, something happened last Thursday in the Senate Armed Services Committee that many of us tried to stop, but we were unsuccessful. The weekend is over now. All we have heard from the liberal media and from the Democrats is: Republican rebellion, Republican rebellion, Republican rebellion—it has kind of a ring to it—a rebellion against President Bush.

Well, nothing could be further from the truth. It is not a Republican rebellion against the President. It is a Democratic denial to the President of

that which he begged Congress for, and that was the ability to interrogate terrorists in order to save American lives, to use whatever methods available within the guidelines of the U.S. Supreme Court to get this stuff done.

I was at the White House when he made his presentation. I was sitting closer to him than I am to the Chair right now. I have never seen him with such an earnest plea in his heart pouring out because he wanted to have that ability to save American lives.

What passed the committee Thursday was the Democrats' program of leniency for the enemy, to be sure our interrogators don't get too aggressive with the terrorists, and also to tell the enemy what methods we will use so they can write their own manual.

Republican rebellion? Not hardly. It was the Democratic bill, and they got four Republicans to go along with it. But 100 percent of the Democrats voted for it. Nine of us Republicans on the committee spoke and voted against it—all Republicans. Clearly, this was a Democratic bill to undermine President Bush's plea to get the tools necessary to extract information from terrorists.

The High Value Terrorist Detainee Program, for all practical purposes, will stop, and I don't blame them. What rational interrogator would take a chance of going to prison, or even being executed himself, by trying to comply with the vague provisions of the Democratic bill passed out of the committee Thursday?

President Bush's bill would clearly define our Common article 3 obligations. No one is advocating torture. Torture is already illegal. The President never did that. Nobody wants to use cruel, unusual, inhumane, or degrading treatment that is against the law. It is already illegal. Nobody is advocating inhumane treatment that violates the U.S. Constitution. What the President wants is clarification under our Common article 3 obligations. The President's bill defines these obligations by equating the definition to last year's detainee treatment. The Democratic bill stays silent on this important topic. Their bill also makes it impossible in some cases to use classified information against the accused. Imagine that. We cannot use classified information against the accused when the terrorists are under our control.

It doesn't go far enough to protect our interrogators who may be accused of violating the vague definitions of article 3, especially as they pertain to degrading treatment. How do you define cruel, unusual, inhumane, or degrading treatment? Should we leave the definition up to the interpretation of the courts? Do you want to be an interrogator who is told not to worry, you will not be prosecuted even though what you are doing might be against the law? I don't. We owe it to them to clearly define the law by using the Detainee Treatment Act as the definition.

As the President said last week: