

Broadband has changed the way that people in our Nation live, work, transact business and obtain information. The ways people work and play today are fundamentally different from a decade ago, due in significant part to the growth and development of the Internet, faster and more efficient ways to access it and the broad new range of Internet based services now in common use.

But for our citizens to be able to reap the benefits of this transformation, they must have access to broadband, and the United States has fallen woefully behind other developed nations in its deployment. According to the most recent statistics released by the Organization for Economic Cooperation and Development, the United States has dropped from 12th in the world to 15th for broadband penetration. The nation that invented the Internet and today creates its most popular globally utilized applications can and for the sake of our national economy must do better than that.

Most of the areas in the U.S. that lack broadband are lightly populated rural regions. Almost 20 percent of households nationwide are not served by a broadband provider, and others are served by a single provider that may charge higher rates for the service given the absence of competition. In my district, for example, we have a county with a population of 16,000 people where the most populous town has 614 residents. That county has no broadband service. I represent dozens of small communities with populations measuring in the hundreds of people where broadband is absent. That pattern is replicated across rural America, and our current global standing is a reflection of it.

It is no surprise that building out broadband to such areas is a low priority for cable and telephone service providers, but that reality does not make broadband any less essential to the lives of unserved rural residents. If the commercial broadband providers are not willing to deploy in particular areas, local governments should be able to step in and fill the gap.

At the turn of the last century, when the private sector failed to provide electricity services to much of America, thousands of community leaders stepped forward to form their own electric utilities. At that time, opponents to municipally-operated electric utilities argued that local governments were not qualified to meet this task. They also argued that competition from the private sector would be hindered by the entry of municipalities into the market. Those arguments did not prevail because it was deemed to be in the public interest to deploy the then new "essential infrastructure" universally, and today we have thriving municipal electric utilities nationwide that have well served their localities for the past century.

I believe that broadband today is the new essential infrastructure. It is every bit as necessary today as electricity service was 100 years ago, and just as with electricity service 100 years ago, in many instances, the only entity willing to provide the service today is the local government.

The Community Broadband Act of 2007 ensures that local leaders can bring broadband technology to their communities, just as local leaders did with electricity a century ago. More than 14 States have passed laws restricting public communications services. The U.S. Supreme Court has upheld the power of States to enact these barriers. Our legislation re-

moves the barriers. It leaves room for States to enact reasonable terms and conditions under which local governments can deploy broadband, but it overturns absolute bars to localities offering the service.

The bill includes competitive safeguards to ensure that public providers cannot abuse governmental authority by discriminating in favor of a public service to the disadvantage of private competitors.

Community broadband networks have the potential to create jobs and increase economic development, enhance market competition, and accelerate universal, affordable Internet access for all Americans. Let's give localities the freedom to create arrangements that work for them, whether they own the infrastructure and offer the service or whether they deploy the facilities and lease the lines to private service providers. The national interest requires that we harness the willingness of localities to elevate our world standing and to enrich the lives of their constituents and the economic prospects of local businesses that urgently need broadband services.

I encourage our colleagues to join Congressman UPTON and me in enacting the Community Broadband Act of 2007.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 27, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes:

Ms. DELAURO. Mr. Chairman, while I was very supportive of the great work that was done by House Agriculture Committee Chairman PETERSON on the farm bill, there is one provision that I have significant concerns about and I will work to ensure that the language is removed from the bill before it is enacted into law.

The farm bill contains language that would change the Federal Meat Inspection Act and the Poultry Products Inspection Act that would allow state inspected meat and poultry products to be sold in interstate commerce. Current law limits the sale of state-inspected meat and poultry products to the state in which they were produced. The stated purpose of the provision is to encourage the creation of new small meat and poultry processing businesses and give farmers new markets for their products. Because current law permits state-inspection programs but requires that they be "equal to" the federal program, supporters of this provision insist there would be no health risk in permitting state-inspected products to be sold any where.

However, do not be misled by the argument—the proposed change in the law would create a serious threat to public health and result in the serious weakening of the federal meat and poultry inspection programs. Instead of creating new markets for farmers, the reduced health standard that this provision would establish ultimately would reduce the market for all meat and poultry products.

There are no data to support the belief that federal inspection requirements are too onerous for small companies. In fact, thousands of small and very small meat and poultry plants in every single state operate successfully under the federal inspection process. There are currently 5,603 plants now under federal inspection, and 2,878 of those (51 percent) employ ten or fewer people. In addition, there are approximately 1,654 other plants that have between 10 and 50 employees.

While the federal inspection laws require that state inspection programs be equal to the federal program, based on reports by the USDA Office of Inspector General, plants subjected to state inspection may not be as clean and sanitary as federally inspected plants. In October 2006, the USDA Office of Inspector General published an audit of FSIS's oversight of state meat and poultry inspection programs that outlined how state inspection programs failed to meet sanitation standards. The report also found that FSIS was failing to hold states responsible for protecting public health by allowing meat plants in four states to continue to sell meat even after finding that the state programs were not meeting legal safety standards.

Although meat and poultry inspection laws require that state programs be equal to the federal program, USDA focuses its reviews of equivalence on state plans. So, while it is possible to have adequate inspection plans on paper, the USDA does not certify that each state inspected plant meets federal standards. The agency also does not return to these plants to determine that they are continuing to meet federal standards.

Mr. Chairman, you will be disturbed to learn that the USDA conducts a far more rigorous oversight of foreign plants that want to export meat to the U.S. than it does over state inspected plants. Before a plant in a foreign country can ship meat to the U.S., USDA must first determine that the foreign country's inspection program is "equal to" the U.S. program. Then, USDA must examine and certify as acceptable each individual plant that wants to ship meat or poultry to the U.S. There is no comparable requirement for state-inspected plants to be initially certified.

The U.S. Court of Appeals for the Sixth Circuit, rejected the state of Ohio's contention that the prohibition on interstate sale of state-inspected meat violated the Fifth and Tenth amendments to the U.S. Constitution. The court explained that the difference between federal, international and state inspection programs justified the limitations on the shipment of state inspected meat. They found that "though the U.S. Department of Agriculture keeps an eye on state inspection programs, it keeps yet a closer eye on its own plants and on meat and poultry entering the country, and it is possible that a state program could deteriorate without the USDA's knowledge. This possibility provides a rational basis for Congress to restrict the interstate transport of state-inspected meat."

Another important component of this issue to consider is that it would be extremely difficult for a state government to manage an effective recall of adulterated meat or poultry that has been shipped outside the state. The USDA and state governments do not possess mandatory recall authority, and recalls must be negotiated between the regulatory agency and the company. While a state meat inspection agency may direct a state-inspected plant

to undertake a recall, a state inspection program does not have the legal authority to travel to other states to assure a recall of meat and poultry products has been executed thoroughly.

The proposed language in the farm bill would have the unintended consequence of opening the door for a major exodus of meat and poultry plants from federal inspection to state inspection programs. The language would allow 80 percent of all federally inspected plants to be eligible to transfer from federal inspection to state inspection if the plant is in one of the 28 states that have an inspection program. This means that a federally inspected plant that is under pressure from a federal inspector to improve its sanitation practices could decide to transfer to the state inspection that might offer less stringent oversight.

Mr. Chairman, as you can see, this is a very critical food safety issue that needs to be addressed. A Democratic Congress cannot be responsible for jeopardizing our food supply and we must work to ensure that this provision is not enacted into law.

Last week, the Safe Food Coalition sent a letter that outlined the concerns on this issue in greater detail. I ask that the letter be included in the RECORD.

JULY 25, 2007.

DEAR REPRESENTATIVE: The undersigned members of the Safe Food Coalition and the American Federation of Government Employees strongly oppose the state-inspected meat and poultry provisions in the "Farm Bill," H.R. 2419. These provisions would lower food safety standards and increase the risk of food poisoning in the U.S. They would encourage the least responsible and competent meat and poultry federally inspected processors to escape the rigorous safety enforcement of federal inspectors and search for more "understanding" and "flexible" enforcement by state inspectors.

The provisions amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to permit meat and poultry products inspected by state inspectors to be sold in interstate commerce. The goal, according to supporters, is to "create new markets for state-inspected meat" which they say would encourage the start-up of new, small meat and poultry processing companies that would compete with giant international slaughter and processing companies and offer farmers better prices. We agree that both farmers and consumers might benefit from increased competition in meat and poultry processing, but we reject the assumption that new companies and competition must be encouraged by dismantling the federal inspection system, reducing food safety standards, and raising the risk of foodborne illness.

These provisions do not permit states to establish higher food safety standards. Federal meat and poultry laws pre-empt the states from raising standards. USDA's Inspector General reports that the Department has not closed state programs that fail to provide safety protection "equal to" federal standards.

The provisions affect federal, as well as state, inspected meat and poultry plants. They would make 80 percent of all federally inspected meat and poultry processing plants—4,532 of 5,603 plants—eligible to switch from federal inspection to the more "business-friendly" state inspection. With that change, if a federal inspector pressures a meat packer to improve sanitation, the packer could instead try to negotiate a more understanding regulatory response from his

state inspection program. It is not surprising that both the American Meat Institute and the National Meat Association, whose members are federally inspected plants, have signed off on this language despite the authors' claims that it creates new competition for them.

A major exodus from federal to state inspection programs would not only threaten food safety but would also adversely affect thousands of federal inspection employees, contributing to a loss of federal inspection positions. Their loss would hurt American consumers who have benefited from the work of well-trained federal inspectors, all sworn to protect the public's health, who have, for over 40 years, been an important part of the nation's public health protection structure.

The provisions would also unleash lobbying campaigns to set up state inspection programs in the 22 states that currently do not have them so plants in those states can also seek "more understanding" enforcement of food safety laws under state programs.

Thousands of very small plants thrive under federal inspection. Fifty-one percent of all federally inspected plants (2,878 of 5,603) have 10 or fewer employees and 80 percent have 50 or fewer employees. These federally inspected small operations comply with federal inspection and make a profit. We do not support providing an unfair advantage to small companies who don't or can't make the commitments necessary to comply with federal food safety requirements.

The USDA Office of Inspector General reports that plants subject to state inspection may not be as clean and sanitary as federally inspected plants. In 1994 the IG said, "state programs are weak in policing plant sanitation and the federal government is weak in following up to make sure deficiencies in the state inspection system are fixed."

In October 2006, the OIG released an audit of state inspection that included stomach turning examples of state inspection programs failing to meet basic sanitation requirements and of FSIS failing to hold states responsible for protecting public health.

The OIG reported that FSIS visited 11 meat plants in Mississippi in October 2003. None of the plants met all HACCP requirements. FSIS reported that cutting boards in one plant were heavily contaminated with meat residues from the previous day's work and noted that some plants failed to monitor cooking temperatures, potentially exposing consumers to bacteria that cause foodborne illness.

The Mississippi meat inspection program allowed the plants to continue operating. FSIS allowed the Mississippi program to keep operating though it was not meeting the "equal to" federal inspection legal requirements.

FSIS allowed meat plants in four states—Missouri, Wisconsin, Delaware and Minnesota to continue to operate, selling meat to unsuspecting consumers, even after finding that the state programs were not meeting legal standards for "equal to." Under current law, the risk from lax state meat and poultry inspection programs is limited because the products cannot leave the state in which they were produced. If Congress approves these provisions the problems would become nationwide as the products travel across the country.

The USDA does not certify that each state inspected plant meets federal standards before coming into the program, nor does it go back to check to determine that the plants continue to meet federal standards. FSIS officials determine "equal to" status primarily by looking at paper, not plants. They examine state plans. They almost never actually go into a state-inspected plant to see what is really happening.

The U.S. Court of Appeals for the Sixth Circuit explains why Congress is justified in limiting the shipment of state-inspected meat to the state in which it is produced: "... though the U.S. Department of Agriculture keeps an eye on state inspection programs, it keeps yet a closer eye on its own plants and on meat and poultry entering the country, and it is possible that a state program could deteriorate without the USDA's knowledge. This possibility provides a rational basis for Congress to restrict the interstate transport of state-inspected meat."

There is no effective way for state governments to assure recall of state inspected adulterated meat or poultry that has been shipped away from the state where it was produced. These provisions, therefore, will increase the risk of serious foodborne illness. Neither USDA nor state governments has mandatory recall authority. Recalls are negotiated between the regulatory agency and the company. The USDA, however, has the staff and capacity both to negotiate with a company about the size and timing of a recall and to go to all the places where the product may have been distributed to be sure the recalled products are being removed. No individual state agriculture department has the authority or the capacity to institute and manage the recall of adulterated meat or poultry from another state.

The provisions were approved by the House Agriculture Committee without the benefit of public hearings to explore the crucial issues or give opponents an opportunity to be heard. The provisions were drafted by the National Association of State Departments of Agriculture whose members want to expand their programs. Meat packing trade associations, whose members may welcome the leverage of threatening to switch to state inspection, signed off on the provisions. Consumer and public health experts, as well as the unions who represent federal inspectors and workers in meatpacking plants, had no opportunity to address the issues.

The provisions assure that the details of implementation would also avoid transparency and exclude public participation. The provisions direct the Secretary of Agriculture to promulgate rules for the major new program within 180 days after the bill becomes law, effectively foreclosing any meaningful opportunity for notice and comment rulemaking, open meetings and public discussion. One of the provisions creates an advisory committee limited to officials of state inspection programs, excluding public health experts and representatives of consumers who might challenge whether public health is being given first consideration.

Neither the House of Representatives nor the American people are well served by the substance of these provisions or the process that produced them. We believe that approval of the Farm Bill language allowing state inspected meat and poultry products to be sold in interstate commerce would mark the beginning of the end of the nation's strong, uniform federal meat and poultry inspection system and would seriously undermine the public health protection federal inspection has built over the past 40 years.

Sincerely,

Carol Tucker Foreman, Founder, Safe Food Coalition; Patricia Buck, Center for Foodborne Illness Research & Prevention; Chris Waldrop, Consumer Federation of America; Wenonah Hauter, Food & Water Watch; Jacqueline Ostfeld, Government Accountability Project; Linda Goldner, National Consumers League; Nancy Donley; Safe Tables-Our Priority; Michael J. Wilson, United Food and Commercial Workers International Union; American Federation of Government Employees.

50TH ANNIVERSARY OF THE
SOUTHERN CHRISTIAN LEADERSHIP
CONFERENCE

HON. JOHN CONYERS, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 30, 2007

Mr. CONYERS. Madam Speaker, I rise today to recognize and congratulate the Southern Christian Leadership Conference, SCLC, as it celebrates 50 years of promoting non-violent action as a means to achieve social, economic, and political justice. The opportunity to serve as the first African-American Chairman of the House Judiciary Committee is a tribute to the efforts of the SCLC to promote equal opportunity and equal justice.

Without the courage and sacrifice of members of the SCLC, namely its first President, Dr. Martin Luther King, Jr., and those Presidents that followed—Ralph Abernathy, Joseph Lowery, and Martin Luther King, III, we simply would not be where we are today. And while we have much work to do, we are living the legacy of the Southern Christian Leadership Conference everyday.

This August will be the 50th anniversary of the Southern Christian Leadership Conference. The SCLC traces its roots to the Montgomery Bus Boycott of 1955, which began with the quiet yet courageous efforts of one woman: Rosa Parks. I had the privilege of working with Rosa Parks for over 20 years when she agreed to join my staff after I was elected to Congress in 1964. The Montgomery Bus Boycott brought together two local ministers, Dr. Martin Luther King, Jr. and Ralph Abernathy, who established the Montgomery Improvement Association to lead the boycott efforts. As the movement to desegregate public transportation spread beyond Montgomery County into surrounding states, it was clear that the organization needed to expand, both in size and in scope.

Following the success of the Montgomery Bus Boycott, a group of 60 organizers from 10 states met in Atlanta, Georgia to plan the next steps. The result was the founding of the Southern Leadership Conference on Transportation and Nonviolent Integration. The organization's title was shortened to its current name, the Southern Christian Leadership Conference during its first convention, held in Montgomery in August 1957. Next week, the SCLC will be hosting its 49th annual convention in Atlanta, GA.

Leading the efforts of the SCLC to end segregation was Dr. Martin Luther King, Jr., a man I am honored to have been able to call a friend and confidant. In fact, it was Dr. King that endorsed me for Congress when I first ran and was elected to serve in 1964. Significantly, Dr. King personally awarded me with the Southern Christian Leadership Conference Award in 1967. Having walked alongside Dr. King, a fearless leader who challenged continued racial segregation and believed that "oppressed people cannot remain oppressed forever," I am committed to continuing the legacy of Dr. King and the SCLC.

Under the helm of President Joseph Lowery for much of its existence—from 1977 until 1997, the SCLC advanced Dr. King's dream for an America—a society united behind the banner of equality and freedom. Today, the SCLC remains strong under the leadership of

Dr. Charles Steele, Jr., promoting a number of programs in the areas of economic empowerment, health advocacy, education, and criminal justice. The SCLC has also established the Martin Luther King, Jr., Conflict Resolution Center, an international initiative to promote Dr. King's principle of nonviolence as a means to resolving conflicts throughout the world.

We've come a long ways over the last 50 years, and the work of the SCLC continues to be of critical importance. It is to the credit of Dr. King and other leaders of the SCLC that today the torch of the civil rights movement is carried by many hands. One of those hands is Dr. King's son, Martin III, who headed the SCLC from 1997 until 2003 and remains committed to the organization's vision. So following the lead of Martin III, Joseph Lowery, Ralph Abernathy, and of course Dr. King, let us continue the work and legacy of the Southern Christian Leadership Conference on its 50th anniversary.

TUMACACORI HIGHLANDS
WILDERNESS ACT OF 2007

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 1, 2007

Mr. GRIJALVA. Madam Speaker, I am pleased to introduce legislation today to protect a magnificently diverse natural landscape in the mountains southwest of Tucson. When enacted, the Tumacacori Highlands Wilderness Act will make a major contribution to the conservation of the natural wonders of Arizona, to the benefit of all of our citizens—those alive today and all the generations to come.

The Tumacacori Highlands is the collective name for two adjacent wilderness areas on public lands that are part of the Coronado National Forest.

These desert peaks and canyons are key parts of the world-renowned Sky Island bioregion, a biological "hotspot" where the southern margin of habitats for many species from the Rocky Mountain west overlaps the northern extent of habitats for many tropical species better known in Mexico. The area is home to subtropical species like the elegant trogon and Chiricahua leopard frog that are found nowhere else in the United States, and offers secluded habitat vital for jaguars, the rare and elusive spotted cat that is now repopulating this portion of its former range.

THE NEW WILDERNESS AREAS

This legislation will expand the existing 7,553-acre Pajarita Wilderness, which Congress protected in 1984 under the leadership of one of America's greatest conservation leaders, Rep. Morris K. Udall, and his close colleague, Sen. JOHN MCCAIN. As the House committee report explained, this "is one of the most delicate and important ecotypes in all of Arizona," providing "an important corridor for life zones to the north and south." My new legislation will afford statutory wilderness protection to some 5,750 additional acres, enhancing overall protection for this rare biological gem.

Just to the north, separated only by an unpaved Forest Service road that crosses the mountains between Nogales and Arivaca, the legislation will also designate the Tumacacori

Highlands Wilderness. This larger area comprises some 70,000 acres surrounding Atascosa Peak and the ridges and canyons that fall away from it on all sides. This is important intact habitat—a remaining oasis of what southern Arizona used to be—and protects important parts of the watersheds for both the Santa Cruz River and the world-renowned riparian area of Sycamore Canyon in the core of the expanded Pajarita Wilderness. The area offers outstanding opportunities for recreation and renewal. Some folks hike to Atascosa Peak or other high points for sweeping views hundreds of miles in all directions. Others linger along the highly accessible margins of the area enjoying the scenic wonders of this wilderness landscape from the roadside.

USER-FRIENDLY WILDERNESS

Madam Speaker, along the roads that offer extraordinary access to these wilderness areas, one is surrounded by wild scenery. These "user friendly" wilderness areas offer diverse recreational opportunities for people of all ages, whether for an easy stroll and picnic or a more vigorous extended outing.

For the visitor who craves wild scenery but chooses not to hike, the Ruby Road and its numerous spurs offer a marvelous motoring experience, with the wilderness literally at the roadside untarnished by intervening roadside development beyond turnouts and trailheads that offer inviting picnic stops. As we too often forget, one of the greatest values of preserving our wilderness areas is for the enjoyment of those who use them by viewing their scenic vistas from the edges. And I hasten to add that other public lands in this region are available for those who choose other forms of outdoor recreation, including motorized recreation.

The boundaries proposed in this legislation have been adjusted to ensure plentiful road access to the wilderness for recreation. We emphasize protection of habitat, which is vital to increasing numbers of sportsmen who seek true wilderness hunting. As a result, this proposal has earned the support of Backcountry Hunters and Anglers and the Arizona Wildlife Federation.

COMMUNITY-FRIENDLY WILDERNESS

Protecting open space and scenic wild places like the Tumacacori Highlands contributes directly to the high quality-of-life sought by our people. The dramatic scenic backdrop of these mountains, uncluttered by development creeping up the slopes, entices people to choose to make their homes in these communities, including Green Valley and Rio Rico. Indeed, seven homeowners' associations in Green Valley, representing some 1,400 households, have formally endorsed this proposal.

The wild landscape of the Pajarita and Tumacacori Highlands are an essential asset for our small business owners, a matter of particular importance to me as a member of the Committee on Small Business. A University of Arizona study found that in Santa Cruz County alone, visitors to natural areas spent between \$10 million and \$16 million annually on travel and accommodations. The natural wonders of this landscape draw artists to artist colonies such as Tubac and Arivaca—and bring art lovers to patronize local galleries and studios. My friends in the local arts community tell me that art that evokes the wild splendors of the southern Arizona landscape is perennially popular with their customers.