

for all, knowing full well this was ill-conceived and ultimately would be a failed program.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to address the Senate for up to 10 minutes.

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

GIPSA

Mr. MORAN. I am here today, as we debate H.R. 2112, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, to address a particular provision that, in my view, needs to be addressed. I also hope to have the opportunity later today to offer an amendment regarding the Watershed Rehabilitation Program and to allocate some additional funds for that program, and I hope to have the chance to speak during the debate on this bill on the proposed school lunch regulations the Senator from Maine has so appropriately addressed previously.

At this time, I would like to turn my attention to a problem with the pending legislation; that is, its failure to address the proposed rule titled "Implementation of Regulations Required Under Title XI of the Food, Conservation, and Energy Act of 2008; Conduct in Violation of the Act," commonly known as the GIPSA rule. This proposed rule has the potential to adversely affect livestock producers in my State and around the country, as well as consumers of meat products.

The House included a funding limitation on implementation of this rule in its appropriations bill. That is not included in the Senate version of the bill. I am a member of the agricultural appropriations subcommittee and believe that, in this case, the House is correct.

Initially, this rule that the Department of Agriculture is proposing grew out of the 2008 farm bill. As a Member of the House of Representatives back then, I was a member of the conference committee that developed that farm bill. It directed the Department of Agriculture to issue regulations in five very discrete areas.

In June 2010, the Department of Agriculture responded with the issuance of its proposed GIPSA regulations that clearly went way beyond the mandate of that 2008 farm bill and way beyond the Department of Agriculture's authority under the Packers and Stockyards Act. The GIPSA rule as written is exactly the type of burdensome regulation that was the focus of our President's January 18 Executive order.

In addition to the Executive order, the President promised to have a very transparent and open administration in regard to the development of rules. Unfortunately, the process surrounding the GIPSA rule has been far from transparent. This rule was proposed

with zero economic analysis from the Department despite the major impacts it could have on the agricultural economy.

For months, USDA denied that this would be an economically significant rule, until multiple private sector studies and overwhelming comments from agricultural producers and others, such as those in my home State of Kansas, finally convinced the USDA this rule would indeed have a significant economic impact. Private analysis at that time indicated that these GIPSA regulations, if finalized as proposed, would cost the U.S. meat and poultry industry nearly \$1 billion.

Under this pressure, the Department of Agriculture is now conducting an economic analysis. While I certainly welcome that economic analysis, I am very concerned about whether this analysis will be made public before a final rule is announced and whether the public will be able to analyze and comment on the data and methodology used by USDA to complete the study.

In fact, I asked the Secretary of Agriculture, during an agriculture appropriations subcommittee hearing, if he would release that economic analysis before the comment period concluded or open a comment period after the analysis is complete so people can make comments based upon what the economic analysis demonstrates. Certainly, in my view, the Secretary failed on a number of occasions to answer my question and give me that commitment that the process would be open and transparent and that a comment period would occur.

I sincerely believe it is incumbent upon this Congress to exercise its oversight discretion and direct the necessary transparency and thoughtful analysis that USDA to date has not publicly provided. We need time to study and comment on the methodology, and we need to make sure we get these rules right if they are going to be implemented. It would be irresponsible to not adjust the rules to mitigate a negative economic impact determined by the Department's own economic analysis.

As I mentioned, the House included a provision barring funding for the current proposed GIPSA regulations, and USDA should be delayed from going forward until it can limit itself to the five areas set forth in the farm bill—its congressional authority—and until public comments can occur regarding that economic analysis. We ought not have a final rule without the benefit of the economic analysis. The Department of Agriculture should not just be going through the motions because there was insistence that an economic analysis occur. We need to be able to mitigate any negative impacts that we learn from that economic analysis.

Madam President, I appreciate the opportunity at this point in the day to address an issue that is appropriate as we discuss the agricultural appropriations bill throughout today. I look for-

ward to being back on the floor later today to offer an amendment to that bill regarding watershed rehabilitation and also at that time to speak in regard to what I view as some crazy ideas that are proposed School Lunch Program regulations.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

ANTHRAX ATTACKS

Mr. CARDIN. Madam President, I rise to remember the 10th anniversary of the anthrax attacks on our country.

During the weeks following the terrorist attacks of September 11, 2011, our Nation was exposed to chemical warfare for the first time.

Two anthrax attacks were delivered through our country's postal system. The first set of letters was mailed to media outlets, including ABC, CBS, NBC, the National Enquirer, and the New York Post in September.

Three weeks later, two other anthrax letters were mailed to U.S. Senators—Senator Daschle and Senator PATRICK LEAHY. The letter to Senator LEAHY never made it to Capitol Hill. The envelope addressed to Senator Daschle, however, was opened on October 15 in the Hart Senate Office Building in the mailroom of the office I use today. Emergency responders rushed to join Capitol Police to evaluate the situation and determine the extent of contamination.

It was 10 years ago this week on October 17, 2001, the Capitol was evacuated. At that time I was a Member of the House of Representatives. I remember the fear and trepidation all Americans felt in the days and weeks following September 11.

I take this time to honor the courage of our Nation's Federal employees. Two made the ultimate sacrifice, dying from the exposure of the deadly anthrax toxin at the postal facility that handled all the mail that came to the Senate and House offices. U.S. postal workers Thomas L. Morris, Jr. and Joseph P. Curseen, Jr. gave the ultimate sacrifice after being exposed to the infected Senate mail while they worked in the Brentwood post office facility here in Washington, DC.

Mr. Morris and Mr. Curseen were Maryland residents. Like so many other Federal employees, they went to work every day, serving the American people and trying to earn a living for themselves and their families. Less than a week after being exposed to the deadly anthrax at the mail facility, both men died of their exposures.

The Brentwood postal facility, which was shuttered for months while the building was disinfected, now proudly bears their names, honoring two Federal employees who died doing their jobs.

Literally thousands of other Federal employees bravely went back to work, making sure our government continued to function in the most uncertain of times. While most Federal workers