families living with autism deserve our support now, and they deserve answers.

I'd like to conclude by thanking my colleagues, Senator SANTORUM, Chairman ENZI, ranking member Senator KENNEDY, and their staffs, as well as Chairman BARTON and ranking member Representative DINGELL and their staffs, for their extraordinary hard work on this bill. I also wish to offer my sincere thanks and appreciation to all of the individuals who are personally affected by autism and the many advocacy groups who represent them for their continued dedication and passionate commitment to this legislation.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

CONCENTRATED ANIMAL FEEDING OPERATIONS

● Mr. JEFFORDS. There are many issues on which we have made progress during my tenure as both chair and ranking member of the EPW Committee, and many issues on which we need to take steps forward. I want to thank Senator BOXER for her consistent leadership on environmental issues over the years, and I know she will do a phenomenal job leading the EPW Committee. There is an issue of great importance to many small Vermont farmers that we have not addressed this year, and that is the issue of concentrated animal feeding operations and CERCLA. I have written to Senator BOXER and provided her with some language reflecting the ideas I described in my statement, asking her to consider this approach as she holds hearings and moves forward on this issue in the 110th Congress.

Mrs. BOXER. I have received the Senator's letter, and he has my assurances that these ideas will be considered as the EPW Committee looks at this issue during the next Congress.

Mr. JEFFORDS. I thank the Senator.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

SMALL FARM SUSTAINABILITY: ANIMAL FEEDING OPERATIONS AND CERCLA

● Mr. JEFFORDS. Mr. President, I rise today to speak about two issues that are of great importance to Vermonters—sustainable agriculture and environmental protections. Over the years, I have fought for education dollars when it seemed none were available. I have fought to protect the environment when its champions were few. But my greatest priority has been to find ways to ensure that Vermont agriculture, the lifeblood of our economy and our culture, remains sustainable and competitive into the future.

I have worked successfully in both the House and the Senate to help assure dairy farmers of a fair and stable price for their milk, through the dairy compact and MILC Program. I have worked hard to provide strong Federal support for conservation programs, helping farmers to be good stewards of the land, while never comprising my commitment to environmental protection. I have supported the cider and cheese industries in the face of increasing Federal regulation and have promoted tax policy that allows for the intergenerational transfer of farms.

Today, I stand before you somewhat perplexed. For several months now, two of the issues where I have dedicated the majority of my time in public service—the environment and agriculture—have been seemingly at odds with one another.

In some States, lawsuits have been brought against large agricultural operations under the Comprehensive Environmental Response, Compensation and Liability Act, CERCLA. I have been contacted by a number of Vermont farmers very concerned about whether CERCLA applies to them and about what it would mean to be sued under this law.

In response to this concern, proposals have been made that would unnecessarily adopt expansive exemptions from the Superfund statute for major pollution streams stemming from very large agricultural operations. I cannot support these proposals that would eliminate one of the tools of last resort for communities with waters contaminated by large-scale animal feeding operations.

I have watched with regret as the face of American agriculture in some regions has changed from one of the individual family, working hard to extract their living from their land, to one of the corporate executive, leading massive agribusiness operations. With this type of consolidation, we have lost in many places, though not in Vermont, the reality of the hard-working family farming using sustainable practices. In many parts of the Nation, we see massive animal feeding operations, often controlled by corporate interests located outside the State, contributing significantly to local water quality problems. Allowing these large operations to simply walk away from the damage that they can cause to our local communities allows them to cut costs, tipping the economic scales in their favor when compared with smaller farms that have less environmental impacts. I wish to do everything in my power to ensure that this scenario never becomes the norm in Vermont.

Vermonters have a long tradition of strong feelings about water quality. In 1972, when the Clean Water Act was adopted by Congress, our Nation was faced with a water pollution crisis. Toxic materials were routinely dumped into pristine water bodies by industrial polluters. It was standard practice in municipalities to have underground pipes deliver raw sewage from homes directly into rivers and streams without any intervening treatment. Citizens demanded action to solve our environmental problems. In 1970, I was the state attorney general of Vermont. My office worked to create Vermont Act 252, which enacted the toughest water pollution laws in the country at the time. I had the honor of testifying before this Committee during Senator Muskie's chairmanship during the first phases of the debate on the 1972 Clean Water Act. Some of the concepts in Act 252 are today part of Federal water pollution laws. One of my fondest memories from this period is of the slogan, ''Jeffords Won't Let Them Do it in the Lake,'' which came about as we successfully fought off efforts by International Paper to dump untreated waste into Lake Champlain.

Despite progress on wastewater treatment and point sources of pollution like International Paper, by the mid-1980s, it was clear that without action on other water quality issues such as toxics like mercury and nonpoint source pollution from urban and agricultural sources, we would not be able to meet our clean water goals. In 1987, our own Senator Stafford of Vermont worked with champions like Senator John Chafee, Senator Mitchell, and Senator Bentsen to write the 1987 Clean Water Act amendments, overcoming the third Presidential veto in the act's history. Many of the key pieces of the 1987 amendments, in particular, nonpoint source pollution, continue to resonate in our clean water debate today.

Despite our progress on these issues, there is much to be done. According to the EPA, the overwhelming majority of the population of the United States—218 million people—live within 10 miles of a polluted river, lake or coastal water. Almost 40 percent of these waters are not safe for fishing, swimming, boating, drinking water or other needs. The EPA estimates that nonpoint sources of pollution are responsible for 50 percent of our water quality problems.

I discuss this history because it is relevant. I understand the impacts of nonpoint sources of pollution on water quality. I also understand the importance of small-scale farming to my home State of Vermont, and I do not believe that CERCLA is well suited, or was ever intended, to apply to the normal operations on Vermont-scale farms.

I am here today with my colleague from California, Senator Barbara Boxer, who will be taking over the helm of the Senate Environment and Public Works Committee. I know that the committee will be in good hands.

I have written to Senator BOXER and asked her to consider an alternative approach that I have put together on this issue of animal manure and CERCLA during the Committee's deliberations on this issue in the 110th Congress. This proposal takes steps to equalize the playing field between

smaller, Vermont-scale farms and large-scale agriculture. It would clarify that the normal application of fertilizer as described in the CERCLA statute includes the use of animal manure as fertilizer. I wrote to the EPA earlier this year asking them to take regulatory action for that purpose and they refused.

The proposal does not change the existing provision in CERCLA, which provides that Federal permitholders, when they are in compliance with their permit, are not subject to CERCLA litigation. Existing law ensures that larger animal feeding operations that will be required to hold Clean Water Act permits and are more likely to have significant waste streams should be protected from CERCLA litigation as long as they are in compliance with the terms of their permit. My legislation takes steps to provide similar assurances to smaller, Vermont-scale farms that are generally not required to hold Clean Water Act permits. It provides that an independent, third-party certification that a farm has applied fertilizer to land in a manner that is in compliance with its nutrient management plan would serve as evidence for an affirmative defense in the unlikely event that a CERCLA lawsuit would be filed against a small, Vermont-scale farm. I offer this extra assurance, even though there is no record of farms of this scale having been sued under CERCLA, and even though such a lawsuit is an unlikely event given the amount of material being handled at these small facilities and the structure of CERCLA, which is designed to address major waste streams. Federal Officials and Environmental advocates understand, I think, that resorting to a Superfund lawsuit to gain compliance from a small farm would be like using a sledge hammer to open a walnut.

Some have asked me: What does that actually get you? The independent third-party certification offered as evidence during the course of any civil or administrative proceeding would support the fact that the facility properly used or applied animal manure to land in compliance with its nutrient management plan. This presumption of fact could only be overcome by contradictory evidence. I believe that the establishment of this affirmative defense will protect Vermont small-scale farmers from CERCLA litigation.

Mr. President, I will not be here in the next Congress to help my colleagues find a way forward on this issue. I offer this idea as a starting point in the debate after much discussion with Vermonters, farmers, environmentalists, and legal and policy experts. We are all seeking the silver bullet that will help to maintain the American tradition of the small, family farm and allow us to make forward progress on the persistent problem of nonpoint source pollution. This idea is my vision of how we can overcome this latest hurdle in our efforts to effectively deal with nonpoint source pollution and hopefully bridge the gap between two of my passions—sustainable, Vermont-scale agriculture, and environmental progress.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

IRAN CONFERENCE RESOLUTION

● Mr. LAUTENBERG. Mr. President, next week the Iranian Government and its President, Mahmud Ahmadi-Nejad, will convene a 2-day conference in Tehran on the Holocaust.

The Iranians say their conference will bring together the vast array of ''opinions'' on the Holocaust. Allegedly more than 60 so-called scholars from 30 countries will participate.

I can only imagine the hatred that will be on display.

It is no secret that President Ahmadi-Nejad has a long history of distortion of the truth and hatred for the Jewish people. It is also shocking that he has called for the destruction of the sovereign, democratic State of Israel.

But what is so revolting is how casually he tries to alter history and the memory of those who perished at the hands of the Nazis.

To make matters worse, Iran is holding this conference on International Human Rights Day

Last year at an Islamic conference in Saudi Arabia, the Iranian President told reporters that the Holocaust had been used as a tool of propaganda, stating that the scale of the Holocaust had been exaggerated. He also sent a 3,000-word letter to German Chancellor, Angela Merkel, outlining his arguments.

Now, the Iranians are trying to assure the world that this conference will be free of anti-Semitism and that it will explore views of ''both sides.'' Both sides? It is clear that denial is one of the sides.

The Holocaust is an undeniable fact of history, and the upcoming conference will serve only to perpetuate intolerance. Eleven million people in total, including six million Jews, were viciously murdered in Nazi death camps. No one living in the rational world denies this fact.

The Iranian President has a clear track record of poisonous hatred. He has stated that ''Israel must be wiped off the map.'' He also said ''Anybody who recognizes Israel will burn in the fire of the Islamic nations' fury.''

Mr. President, I am pleased that the Senate is poised to take up and adopt a resolution that I have drafted—along with Senators BIDEN and CLINTON—that condemns the Iranians and this sham conference. It is important that the Senate go on record condemning this hate and intolerance.●

HOLD ON THE NOMINATION OF LEON R. SEQUEIRA

Mr. SALAZAR. Mr. President, I rise to share my serious concern about the implementation of the Energy Employees Occupational Illness Compensation Program Act, EEOICPA. Because of the gravity of my concerns, I have placed a hold on a nomination currently pending before this body—the nomination of Leon R. Sequeira to be Assistant Secretary for Policy at the Department of Labor.

I harbor no ill will toward Mr. Sequeira. But I am furious with the foot-dragging, the obstruction, and the neglect that have characterized the administration's approach toward American citizens who took real risks for our country during the cold war, who are suffering now, and who need and deserve help.

It is my understanding that Mr. Sequeira's role will be to advise the Department of Labor Secretary Elaine Chao on policy development and program implementation. It is my hope that I can work through my numerous concerns with the Department of Labor and the Department of Health and Human Services.

The EEOICPA Program is supposed to compensate the thousands of cold war veterans who worked for our country's nuclear weapons programs. Together, these Federal agencies are responsible for administering the EEOICPA Program. Both agencies also play significant roles in the special exposure cohort SEC petition process.

As Congressman JOHN HOSTETTLER pointed out earlier this week, the SEC petition process was designed to provide a mechanism for workers to be given relief from government that ''frequently misled them about the hazards they were facing and failed to properly monitor their exposure.'' Among the workers who face just such a situation were the Americans who worked at Rocky Flats in my State of Colorado.

Many of these individuals, who knowingly risked their own safety to protect our democracy, have suffered from painful and debilitating diseases, including cancer, and many have died as a result of their brave service. Like Department of Labor Secretary Elaine Chao, I would hope that their Government could provide some measure of justice to these patriots. She has stated that, ''My concern is that we take care of men and women who were harmed as a result of loyal service to their country. It is my hope that this program will repay them in some small way for all they've lost.''

Unfortunately, this program is repaying them with bureaucratic delays and a deck stacked against them. I believe our Government is failing to fulfill the promise and intent of the EEOICPA Program.

In Colorado, many people who worked at Rocky Flats were exposed to beryllium, radiation, and other hazards that have led to cancer and death. They filed a special exposure cohort petition over 17 months ago to receive compensation. Their petition has been delayed and obstructed at various levels and by several agencies. We have