

I recognize that there were good reasons that Congress placed a term limit on the Director of the FBI. History has shown that the position, and the FBI, wield enormous powers and that the Bureau should not have a director for life.

The legislation before us recognizes that concern, and creates a one-time extension that would only apply to Director Mueller. Future FBI Directors would still be limited to a 10-year term.

Extending Director Mueller's term at the FBI for an additional 2 years will ensure the evolution of the FBI continues. It will provide important stability to the President's national security team during this sensitive and challenging time and while it is otherwise going through important leadership changes.

This summer Leon Panetta has succeeded Robert Gates as Secretary of Defense, and GEN David Petraeus has been confirmed to be the next Director of the CIA, but because he is transitioning out of Afghanistan, General Petraeus won't arrive at Headquarters in Langley until after Labor Day.

We are seeing changes in major military commands, and changes in the Joint Chiefs of Staff are coming soon. Also, the Senate Intelligence Committee, which I have the honor of chairing, is now considering the nomination of Matt Olsen to be the Director of the National Counterterrorism Center, NCTC, because Mike Leiter stepped down as the head of NCTC on July 8.

So in the midst of this change, Director Mueller will be an experienced, steady hand among the President's national security advisers. The American people will be well-served having him in place.

I support the legislation and urge its adoption. Now is not the time to keep it from passing.

OBJECTION TO CONSIDERATION OF H.R. 872

Mr. CARDIN. Mr. President, I have filed a formal objection to the consideration of H.R. 872, a bill to exempt pesticide applications from coverage under the Clean Water Act. I rise today to explain the reasoning for my opposition to this bill.

H.R. 872 is based on the notion that the law governing the licensing of pesticides provides all the environmental safeguards that are necessary. In proponents' view, obtaining a Clean Water Act permit would be duplicative. That is incorrect.

As chairman of the Water and Wildlife Subcommittee of the Senate Environment and Public Works Committee, I have serious concerns about how pesticide pollution is impacting human health, natural resources and the economies that depend on them.

Today, more than 1,800 waterways in the United States are known to be im-

paired because of pesticide pollution. Limited water quality sampling suggests the number is actually much higher. In a nationwide study conducted by the U.S. Geological Survey, more than half of the streams sampled had concentrations of at least one pesticide that exceeded a guideline for the protection of aquatic life. In California alone, more than one in four of the State's waters are officially listed as impaired because of pesticide pollution.

Chesapeake Bay is the most biologically diverse estuary in the country and serves as a vital economic resource to the region. One recent study found that portions of the bay with higher concentrations of pesticide pollution exhibited decreased species diversity and reported a "surprising number" of such sites in the lower bay. Pesticide pollution in the Chesapeake has been linked to fish kills and abnormalities. Moreover, extensive samples taken from Chesapeake tributaries displayed a range of pesticides and herbicides. Atrazine, one of Maryland's most used herbicides, was detected in every water sample taken. The active ingredient in atrazine is resistant to natural degradation in water and inhibits photosynthesis in plants. The USGS found that concentrations of atrazine commonly found in agricultural streams and rivers produced reproduction and development abnormalities.

Pesticides, by their very nature, consist of various toxins. They are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, to determine if they are generally safe to use. The law is not designed to deal with the many real-world instances in which those "general" conditions are not applicable.

Pesticide pollution can cause severe reproductive and developmental harm and even death. Even at levels that allow for the product to be registered, pesticides may cause health problems in fish, amphibians and other aquatic species. Additionally, pesticide pollution can affect human health through contaminated drinking water and bioaccumulation in those that eat contaminated fish.

These pollution levels are the result of massive releases of pesticides that are having adverse environmental impacts that go far beyond what is regulated under the general application rule in FIFRA. We need FIFRA, but we also need the Clean Water Act.

Approval of a pesticide under FIFRA only requires that the active chemical "will not generally cause unreasonable adverse effects on the environment."

Clean Water Act permits, on the other hand, are approved based on a pesticide's impact on a specific waterway. It takes into account the water body specific context including specific uses, such as swimming and fishing, and whether significant fish species rely on the waters. Additionally, Clean Water Act permits place enforceable limits on the amount and type of pollutants that can be discharged.

FIFRA registration is not an acceptable substitute for water discharge permits. The localized impact assessment and enforceable discharge limits of Clean Water Act permits are far better equipped to address water quality issues than FIFRA's nationwide cost-benefit-based assessment. To exempt pesticides from comprehensive regulation would unreasonably compromise the quality of our waterways.

Clearly, the Nation has a problem with pesticide pollution in our waters that needs to be addressed. The courts have said so, and scientific data reinforce that conclusion. That doesn't mean that every backyard application of a weed-killer needs a Clean Water Act permit. Providing targeted exemptions of de minimis users of pesticides makes good sense. Generally speaking, backyard applicators and local lawn care companies should be exempt from coverage. Regulating these users would do little to improve water quality and would be an unnecessary burden on them. Emergency applications to control mosquito outbreaks associated with West Nile virus or a new outbreak of gypsy moth, for example, should be allowed. Permits could be obtained after-the-fact in these emergency situations without penalty. Agricultural applications to land should continue to be exempt. Permits should be easy to obtain and impose minimal monitoring, recordkeeping, and reporting requirements.

H.R. 872 simply goes too far, providing blanket exemptions and ignoring the real water quality problems that pesticides are causing in America's waters today. I support a more balanced approach.

The Clean Water Act has resulted in tremendous successes in preserving and restoring U.S. waterways, but many of our waterways are still impaired and require further attention. To categorically exempt pesticides from Clean Water Act permitting would be a step backwards in our nationwide efforts to ensure our waterways are healthy and safe. We can do better.

REMEMBERING BETTY FORD

Mrs. BOXER. Mr. President, today I ask my colleagues to honor the memory of one of our Nations' great leaders, former First Lady Betty Ford. Mrs. Ford passed away on July 8, 2011, at the age of 93. She leaves behind a legacy of candor, service, equal rights for all and a strong record of bipartisanship.

Elizabeth Ann Bloomer was born in Chicago, IL, on April 8, 1918, to William Stephenson Bloomer and Hortense Neahr. She had two older brothers, William and Robert Bloomer. When she was young, the family moved to Grand Rapids, MI, where she spent her childhood.

Dance was a passion of hers from a young age. While performing in Grand Rapids, she met Martha Graham, who