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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal and dependable Creator, who harmonized the world with seasons and climates, sowing and reaping, color and fragrance, we praise You for sustaining us on this pilgrimage called life. Today, illumine the path of our lawmakers so that they will relinquish any motives that are contrary to Your will. Lord, strengthen them to do their part to serve You and country with faithfulness and integrity. Let Your peace radiate on wings of faith, hope, and love in their hearts this day and always.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FLOOD INSURANCE REFORM AND MODERNIZATION ACT—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I now move to proceed to Calendar No. 250, S. 1940.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 250, S. 1940, a bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, there will be 2 hours equally divided and controlled, with the majority controlling the first half and the Republicans controlling the final half.

ORDER OF PROCEDURE

The hour that is under the control of the majority has been given and I ask unanimous consent now that Senator KERRY be recognized for the hour we have allotted to us.

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

Mr. REID. That will be a full hour to Senator KERRY and a full hour to the Republicans.

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

Mr. REID. The Senate will recess from 12:30 p.m. to 2:15 p.m. to allow for our weekly caucus meetings.

Last night, we reached an agreement to complete action on the farm bill. As a result, there will be several rollcall votes beginning at 2:15 p.m. today.

Everyone who has amendments here should understand, if you know the result of your amendment—it is pretty easy to figure out most of them because Senators STABENOW and ROBERTS will tell almost everyone how the vote is going to wind up—we should be able to dispose of a lot of these by voice vote. I hope so. Otherwise, people can look to some very long nights the next night or two.

We will also begin debate today on the joint resolution of disapproval regarding the EPA's mercury and air toxics standards. That will also occur during today's session.

THE DREAM ACT

Mr. President, Republicans in Congress are fond of complaining that this country's immigration system is broken. We have heard it for months and months, going into years. But they are less interested in working with Democrats to fix this problem they say is broken. We have tried. They are totally opposed to our doing anything. We have tried, but we just get a handful of Republican votes.

No one I know disagrees that our immigration system needs repair. It certainly does. But every time we as Democrats offer to work together on comprehensive immigration reform, Republicans find an excuse to fight sensible change.

And every time Democrats propose bipartisan legislation to provide a pathway to citizenship for children brought here illegally through no fault of their own, Republicans have found an excuse to oppose our practical reforms.

There is no better illustration of Republicans' hypocrisy than their phony outrage this past weekend.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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On Friday, President Obama announced the administration would suspend deportation of young people—upstanding young people—brought here by their parents as children, provided these young people attend college or serve in the military.

More than 800,000 young people who have done well in school and stayed out of trouble will benefit from this policy and become productive members of society. That is what we should all be very happy about.

In this Congress, and the last Congress, Republicans expressed broad support for the principles of President Obama's directive.

Senator MARK RUBIO, the junior Senator from Florida, has even talked up a similar idea to the press for months, although he never actually produced a proposal. This was just talk. There was not a single word ever in writing.

Yet Republicans' glowing expressions of support for the President's decision were not forthcoming. Instead, Republicans have cried about the way the directive was issued. They prefer a long-term solution. Well, of course we all do. They do not like the timing; they should have been consulted; and an issue this important should have been left to Congress. Being left to Congress—we have tried to do that for years, and we cannot because they will not let us. They stopped us procedurally.

Their complaints are varied, but they have one thing in common: None of them actually takes issue with the substance of President Obama's directive. And with the polling results today announced in the national press, clearly, it is overwhelmingly supported by Independents, overwhelmingly supported by Democrats, and, frankly, Republicans are not that much opposed to it either. But the only Republicans who are opposed to it by a large margin are the Republicans in Congress.

Leading Republican voices on immigration have yet to actually disagree with the decision. They just do not like the way the President made the decision—I guess because he will get credit for bringing out of the shadows 800,000 trustworthy young men and women who know no other home but the United States. America is their home. It is the only home they have known.

I talked about a girl here yesterday from Nevada, Astrid. She came here to America as a tiny girl. She does not know anyplace else. This is her home. She is an American. She pledges allegiance to her flag.

So I remind my colleagues in both Houses of Congress, the next move is yours. This reprieve for DREAMers should not be seen as a free pass for Congress. We have lots of other issues we have to deal with dealing with immigration. Instead, we should see it as a chance for Democrats and Republicans to work together on a lasting answer to the serious shortfalls of our broken immigration system. And as we work, we will have the benefit of knowing the specter of deportation no longer hangs over the heads of hundreds of thousands of young people.

Now is hardly the time to walk away from the DREAM Act, which would have created a pathway to citizenship for young people brought to the country through no fault of their own. And it is certainly no time to abandon calls for comprehensive immigration reform that is tough, that is fair, and is practical. But that is exactly what Republicans are doing. They are taking their marbles and saying: Well, OK, we will quit and go home. Quite frankly, a number of them have not been here anyway to go home. They have not helped us anyway.

Since last Friday, leading Republican voices on immigration reform have all but ceded the debate until after the election. Republicans who once favored a permanent solution for America's broken immigration system are now abandoning efforts to find common ground.

And the same Republicans who complained they were not involved enough in the President's decision are now giving up any involvement in the broader immigration conversation. It makes you wonder whether they were committed to passing the DREAM Act or tackling immigration reform at all, because Senate Republicans have twice had their chance to vote for the DREAM Act. Both times they filibustered the measure to a legislative death. So perhaps it should come as no surprise that my Republican colleagues are more interested in complaining about a system that is broken than in working with Democrats to fix it.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the following 2 hours will be equally divided and controlled by the two leaders or their designees, with the majority controlling the first hour, and the Republicans controlling the second hour.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, I yield 5 minutes to the Senator from Colorado.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I thank the Senator from Massachusetts for generously yielding to me.

WIND PTC

Mr. President, I am on the Senate floor today to continue urging this body to extend the production tax credit for wind. I intend to return to the floor every morning until the PTC has been extended, and I am going to talk about the economic and jobs effect on the nonextension in each State, and I am going to press my colleagues for an immediate extension.

Today I want to focus on a wind giant in our country—Texas. Texas leads the Nation in wind energy production. The Lone Star State has more turbines than all but five countries.

As you can see, this chart I have in the Chamber outlines all the installed wind projects in Texas. You can see that across the State—from the south to the west, from El Paso to Galveston, from the Panhandle to southern Texas—the wind industry has created thousands of jobs and it has helped boost the manufacturing and construction sectors with good-paying American jobs.

For example, Sweetwater, a town of 11,000 people, has become the new Spindletop: You drive past it on the interstate and there is a forest of giant wind turbines. Among the cotton fields of this west Texas rural community, Sweetwater is home to one of the largest wind farms in Texas. And the wind industry, using Sweetwater's open spaces, constant winds, and transmission capacity, has helped revitalize this rural community—and really all of Nolan County.

Even oil-rich Houston has become something of a wind power capital in Texas—thanks to developers such as EDP Renewables Pattern Energy, and Iberdrola Renewables, as well as BP and Shell.

They say everything is bigger in Texas—and that certainly applies when it comes to their vast energy resources. Texas has it all, from traditional sources, like oil and gas, to renewable energy, like hydro and wind.

Texas' success in harnessing wind energy is no accident. Thanks to smart State policies, including a renewable portfolio standard, which passed in 1999, and was later amended in 2005, as well as strong Federal support from the wind PTC, the Texas wind industry has grown dramatically.

Texas has an all-of-the-above energy strategy. The Senator from Massachusetts supports that kind of strategy. I support that kind of a strategy. Texas embodies this. They have shown great promise when it comes to renewable resources—growing and coexisting with traditional energy sources.

So if you look at what is happening in Texas, Texas' wind energy industry supports almost 7,000 jobs. With more energy from wind than any other State in our country, wind powers over 2.7 million Texas homes, and almost 7 percent of Texas' overall electric power comes from wind. It was the first State to reach 10,000 megawatts of wind installations, and that wind power has helped avoid greenhouse gas emissions in the equivalence of 3,725,500 passenger cars.

As well, the supply chain of the manufacturing opportunities in Texas stands out. It is home to wind turbine manufacturers such as DeWind and Alstom, five major tower manufacturers, blade manufacturer Molded Fiber Glass, and many component suppliers.

This is an example of why we have to act, why we have to extend the PTC. Without certainty, wind energy companies are not able to grow, and they, frankly, will shed jobs and whole projects.

In the Senate, we have a bipartisan coalition. Senators GRASSLEY, BOOZMAN, SCOTT BROWN, HOEVEN, MORAN, and THUNE have engaged with many of us on this side to extend the wind PTC.

Let me end by quoting Karl Rove, who is known as a proud Texan and former senior adviser to President George W. Bush. He explains the wind PTC as follows:

> It is a market mechanism, you don't get paid unless you produce the power, and we're not picking winners and losers, we're simply saying for some period of time we will provide this incentive.

Let's extend the PTC now. The solution is simple. We have to act. It will help American jobs. It will help the American economy. It will help our energy security efforts.

So, Mr. President, I thank the Senator from Massachusetts again, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I would ask I be notified when I have consumed about 25 minutes.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

GLOBAL CLIMATE CHANGE

Mr. KERRY. Mr. President, 20 years ago this month, a Republican President of the United States helped bring together all of the world's largest economies in Rio, in Brazil, to confront the issue of global climate change. The President was unequivocal about the mission. George Herbert Walker Bush said simply:

> The United States fully intends to be the world's preeminent leader in protecting the global environment. We have been that for many years. We will remain so. We believe that environment and development . . . can and should go hand in hand. A growing economy creates the resources necessary for environmental protection, and environmental protection makes growth sustainable over the long term.

When he was asked about his own target for subsequent meetings of the global stakeholders, President Bush could not have been more clear. He said the United States ''will be there with specific plans, prepared to share, but more important, that others who have signed these documents ought to have specific plans. So I think this is a leadership role. We are challenging them to come forward. We will be there. I think the Third World and others are entitled to know that the commitments made are going to be commitments kept.''

That was the President of the United States speaking on behalf of our Nation and indeed the aspirations of the world 20 years ago. How dramatic and sad it is that 20 years later, shockingly we find ourselves in a strange and dangerous place on this issue, a place this former President probably would not even recognize.

Thomas Paine actually described today's situation very well. As America fought for its independence, he said: ''It is an affront to treat falsehood with complaisance.'' Yet when it comes to the challenge of climate change, the falsehood of today's naysayers is only matched by the complacency indifference of our political system.

It is well past time that we actually heed Thomas Paine's admonition and reaffirm the commitment first made by President George Herbert Walker Bush. As a matter of conscience and common sense, we should fight today's insidious conspiracy of silence on climate change, a silence that empowers misinformation and mythology to grow where science and truth should prevail.

It is a conspiracy that has not just installed but demonized any constructive effort to put America in a position to lead the world on this issue, as President Bush promised we would, and as Americans have a right to expect we will.

The danger we face could not be more real. In the United States, a calculated campaign of disinformation has steadily beaten back the consensus momentum for action on climate change and replaced it with timidity by proponents in the face of millions of dollars of phony, contrived talking points, illogical and wholly unscientific propositions, and a general scorn for the truth wrapped in false threats about job loss and tax increases.

Yet today the naysayers escape all accountability to the truth. The media hardly murmurs when a candidate for President of the United States, in 2012, can walk away from previously held positions and blithely announce that the evidence is not yet there about the impact of greenhouse gasses on climate.

The truth is scientists have known since the 1800s that carbon dioxide and other greenhouse gasses trap heat in our atmosphere. With the right amount of those gasses, the Earth is a hospitable place for us to live. It is, indeed, the greenhouse effect that makes life possible on Earth. But if too much is added, which is what we are doing now at a record pace, temperatures inevitably rise to record-breaking levels. It is not rocket science.

Every major national science academy in the world has reported that global warming is real. It is nothing less than shocking when people in a position of authority can just stand up and say, without documentation, without accepted scientific research, without peer-reviewed analysis, just stand up and say: Oh, there is not enough evidence, and they say it because it suits their political purposes to serve some interest that does not want to change the status quo.

Facts that beg for an unprecedented public response are met with unsubstantiated, even totally contradicted denial. Those who deny the facts have never, ever met their de minimus responsibility to provide some scientific answer to what, if not human behavior, is causing the increase in greenhouse gas particulates and how, if not by curbing greenhouse gases, we will address this crisis.

In fact, when one measures the effect of taking action versus not taking action, the naysayers' case is even more confounding. Just think about it. If the proponents of action were somehow incorrect, contrary to all that science declares, but, nevertheless, if they were incorrect and we proceeded to reduce carbon and other gases released in the atmosphere, what is the worst that would happen?

Well, under that scenario the worst would be more jobs as we move to the new energy economy, the opening of a whole new $6 trillion energy market with a more sustainable policy, a healthier population because of cleaner air and reduced pollution, reduced expenditures on health care because of environmentally induced disease, an improved outlook for the oceans and the ecosystems that are affected by pollution falling to the Earth and into the sea, and surely greater security for the United States because of less dependence on foreign sources of energy and a stronger economy. That is the worst that would occur if the proponents were wrong.

But what if the naysayers are, in fact, wrong, as all the science says they are? What if because of their ignorance we fail to take the action we should? What is the worst then? The worst then is sheer, utter disaster for the planet and for all who inhabit it. So whose ''worst'' would most thinking people rather endure?

The level of dissembling—of outright falsifying of information, of greedy appeal to fear tactics that has stalled meaningful action now for 20 years—is hard to wrap one's mind around. It is so far removed from legitimate analysis that it confounds for its devilishly simple appeal to the lowest common denominator of disinformation. In the face of a massive and growing body of scientific evidence that says catastrophic climate change is knocking at our door, the naysayers just happily tell us: Climate change does not exist.

In the face of melting glaciers and ice caps in the Arctic, Greenland, and Antarctica, they say we need to ''warm up to the truth.'' And in the face of animals disappearing at alarming rates, species being destroyed, they would have us adopt an ostrich policy and just bury our heads in the sand and pretend it can go away.

Just last week, a group of State senators in North Carolina passed a bill that bans planning for rising sea levels when creating rules for housing developments and infrastructure in coastal communities. Jeffress Williams is the lead author of the U.S. National Climate Assessment Report. Ask him what he thinks about his legislation, and he will tell you it is ''not based on sound science.'' That is an understatement. But somehow the State senators who voted for this bill know better.

Al Gore spoke of the ''assault on reason.'' Well, exhibit A is staring us in the face: coalitions of politicians and special interests that peddle science fiction over scientific fact, a paid-for, multimillion-dollar effort that twists

and turns the evidence until it is gnarled beyond recognition, and tidal waves of cash that back a status quo of recklessness and inaction over responsibility and change.

In short, we are living through a story of disgraceful denial, backpedaling, and delay that has brought us perilously close to a climate change catastrophe.

Nothing underscores this Orwellian twist of logic more than the facts surrounding the now well negatively branded cap and trade program. Cap and trade was a Republican-inspired idea during the debate over ozone and the Montreal Protocol in the 1980s. It was actually inspired by conservatives looking for the least command and control, the least government-regulated way to meet pollution standards. It was implemented and it worked, and it is still working. But, lo and behold, when the strategists for the political right decided to make it a target because Democrats were leading the charge to address climate change, suddenly this free market mechanism was transformed into ''cap and tax'' and ''job killing tax.'' And guess who. Coal. Coal, the leading carbon polluter was leading the funding for those efforts. What is worse, we have all stood by and let it happen. We have treated falsehood with complacence and allowed a conspiracy of silence on climate change to infiltrate our politics. Believe me, we have had our chances to act in these last years. But every time we get close to achieving something big for our country, small-minded appeals to the politics of the moment block the way.

The conspiracy of silence that now characterizes Washington's handling of the climate issue is, in fact, dangerous. Climate change is one of two or three of the most serious threats that our country now faces, if not, in some people's minds, the most serious. The silence that has enveloped the once robust debate is staggering for its irresponsibility. The cost of inaction gets more and more expensive the longer we wait, and the longer we wait, the less likely we are to avoid the worst and to leave future generations with a sustainable planet.

In many cases what we are talking about is vast sums of money funneled into gas-guzzling industries and coal-fired powerplants. We are talking about pollution—pollution on a wide scale, the kind of dirty, thick suffocating smog that poisons our rivers, advances chronic disease like asthma, lung cancer, and creates billions in hospital costs and lost economic opportunity. It is the same pollution that Rachel Carson warned us about in ''Silent Spring'' when she said:

> Why should we tolerate a diet of weak poisons, a home in insipid surroundings, a circle of acquaintances who are not quite our enemies, the noise of motors with just enough relief to prevent insanity? Who would want to live in a world which is just not quite fatal?

Well, today we do live in a world where there is an absurdity in the air, and it has complacence written all over it. Fish are dying in water polluted with pesticides. Roadless forests are being threatened by indiscriminate drilling. Industrial chemicals are sweeping into all of us. Young children are born with a burden of chemicals unprecedented in their amount. The burning of fossil fuels has overloaded our ecosystems with nitrogen and ravaged our plant life.

Just go out and look at the forests and look at the change in the topography of our country. Bottom line: We have substituted fantasy for reason, sheer whimsy for proven epidemiology, and it is wreaking havoc on our environment. You do not have to take my word for it. I am confident a lot of our colleagues will not. But you can see it across the planet with your eyes. Ice caps are melting; seas are rising; deserts are expanding; storms are more frequent, more violent, more destructive; pollution, famine, natural disasters, killing millions of people every year.

These are changes that many experts thought were still years down the line, but climate change is now radically altering our planet at a rate much faster than the scientists or even the pessimists expected.

All you need to do is look out your window. We just had the warmest March on record for the contiguous United States. The naysayers will tell us that one hot year does not prove global warming. But just look at this chart which charts the acceleration of warming in the United States after 1970. This is not an anomaly. It is a giant step in the wrong direction, and 2010 was the hottest year on record. The last decade was the hottest decade since we have started recording the weather. April, May, and June of this year are already continuing the trend.

For the first time in memory, the Augusta National azaleas bloomed and wilted before the first golfers teed off at this year's Masters. At the Boston Marathon, temperatures hit 89 degrees in April, more than 30 degrees higher than the average. People talk about official jackets and gloves and coffee? Who are you kidding? They are talking about hats and sunscreen and Gatorade and medical tents that were filled with heat-exhausted runners starting at mile 10 of the 26-mile course from Hopkinton into Boston.

I have been working to connect the dots on this issue for a long time. In 1988, 24 years ago, on an already hot June day, Al Gore and I took part in the first hearings on climate change in the Senate with Jim Hansen, who testified then that the threat was real, that climate change was already happening in our country—24 years ago.

Four years later, we joined a delegation of Senators to attend the first Earth Summit in Rio, where we worked with 171 other nations to put into place a voluntary framework on climate change and greenhouse gas reductions. Back in 1992, we all came together for a simple reason: We accepted the science.

President George H.W. Bush personally traveled to the climate change talks in Rio to help plant the seeds of this new beginning. We knew the road ahead would be long, but we also knew this was a watershed moment; that it created the grassroots momentum that made people sit up and start to listen and understand the damage we were doing to the environment. Sit up and listen they did. The principles that came out of Rio transformed into a mandatory requirement under the Kyoto Protocol. Each of the developed nations accepted its own target goal. The European Union reduction would be 8 percent and Japan's would be 6 percent and so on. We were thinking big back then, and our goal was to reach a total decrease in global emissions of 5.2 percent below the 1990 levels and reach it by 2010.

Well, 2010 has come and gone and so, too, have the targets. We all know the story: Global political leadership was distracted or absent. International negotiations in Buenos Aires and The Hague turned tense. The less-developed nations saw the targets and timetables for greenhouse gas reductions as a Western market conspiracy. Then there were trumped up, industry-funded so-called studies that challenged the scientific assertions for climate change scenarios.

Looking back, it is not hard to understand why the final agreement got sidetracked in the Senate. After all, the developing countries were excluded from the treaty's reduction targets, even though it had already become clear by then that China and India were significant enough as industrial powers that to exempt them entirely would be a mistake. Nations left out were deemed capable of undoing all the reductions that would have been achieved by the developed nations.

It is no wonder people were reluctant, no wonder American companies were understandably reluctant to put themselves at a competitive disadvantage. Many in Congress had not yet digested the science of climate change, even though we knew climate scientists were already studying the phenomenon of greenhouse gases.

The question is not whether the Kyoto treaty had flaws; the question is whether we got the fundamentals right. I believe the evidence is overwhelming, beyond any reasonable doubt, that we did. As I remind my colleagues, the view from 2012 is a whole lot different from 1992. Countries such as China, South Africa, Brazil, and South Korea have now made far-reaching choices to reshape their economies and move forward in a new and very different global area. Take China. China is already outspending the United States three to one on public clean energy projects. In the last year alone, China accounted for almost one-

fifth of the renewable energy investments, with the United States and Germany trailing behind. Steven Chu, the Secretary of Energy, said it best:

For centuries, America has led the world in innovation. Today, that leadership is at risk.

Our indifference to climate change is putting America's economy and leadership, with respect to economics and the future of energy policy, at risk. So the United States is now the laggard. We are missing out on achieving sustained economic growth by securing enduring competitive advantage through innovation. The facts speak for themselves. Today's energy economy is a $6 trillion market, with 4 billion users worldwide, growing to 9 billion in the next 40 years. By comparison, the market that made people so wealthy in 1990s in America and created 23 million new jobs and lifted everybody was a $1 trillion market with only 1 billion users. This is $6 trillion with 4 billion users today.

The fact is it is projected to grow to a $2.3 trillion market in the year 2020. America needs to get into this. We need to get our skin in the game or we are going to miss the market of the future—if not miss the future itself. We would be delusional to believe China, given the evidence, or any of our other competitors are going to sit on the sidelines and let this market opportunity fall through the cracks. They are not doing it now and they will not do it in the future. Only the United States is sitting there with an indifference toward these alternatives and the renewable possibilities.

I realize some will argue we cannot afford to address climate change in these tough economic times. Frankly, nothing could be further from the truth. Nothing could be more self-defeating. We will recover from this slowdown. When we do, we need to emerge as the world leader in the new energy economy. That will be a crucial part of restoring America as a nation in a way that honors the hard work and innovation and measures prosperity in those terms.

Anyone who worries whether this is the right moment to tackle climate change should understand we can't afford not to do this now at the risk of our economic future. It is now that the most critical trends and facts actually all point in the wrong direction. The CO_2 emissions that caused climate change grew at a rate four times faster in the first decade of this new century than in the 1990s.

Several years ago, the U.N.'s Intergovernmental Panel on Climate Change issued a series of projections for global initiatives. Based on the likely projections of energy and land-use patterns, today our emissions have actually moved beyond—this chart shows the emissions are going up from the 1960s all the way through to 2010. Today, we have moved beyond the worst-case scenarios that were predicted by all the modeling that was done by the IPCC. Meanwhile, our oceans and forests, which act as the natural repositories of CO_2, are losing their ability to absorb more carbon dioxide. This means the effects of climate change are being felt even more powerfully than expected, faster than was expected.

The plain fact is there isn't a nation on the planet that has escaped the steady onslaught of climate change. When the desert is creeping into east Africa and ever more scarce resources push farmers and herders into deadly conflict, that is a matter of shared security for all of us. When the people of the Maldives are forced to abandon a place they have called home for hundreds of years, it is a stain on our collective conscience and a moral challenge to each of us. When our own grandchildren risk growing up in a world we can't recognize and don't want to, in the long shadow of a global failure to cooperate, then, clearly, urgently, profoundly, we need to do better.

Frankly, those who look for any excuse to continue challenging the science have a fundamental responsibility they have never fulfilled: Prove us wrong or stand down. Show with some science how this theory, in fact, is not being borne out. Prove that the pollution we put into the atmosphere is not having the harmful effects we know it is and that the science says it is. Tell us where the gases go and what they do if they don't do what the scientists are telling us they do. Pony up one single cogent, legitimate, scholarly analysis. Prove that the ocean isn't actually rising. Prove that the icecaps aren't melting or that deserts aren't expanding. Prove, above all, that human beings don't have anything to do with it.

I will tell you here right now, they cannot do it. They have not done it and they can't do it. There are over 6,000 peer-reviewed articles, all of which document clearly, irrefutably the ways in which mankind is contributing to this problem. Sure, we know the naysayers have their bought studies that don't stand up to scientific review and a few scientists who trade in doubt and misdirection about things such as Sun spots and clouds. But there is not a single credible scientist who can argue and withstand the peer review that climate change isn't happening.

In fact, even the naysayers are starting to come around, in their judgment. Just this year, a well-known climate skeptic, Dr. Richard Mueller, released a series of reports that were funded in part by the Koch brothers. Dr. Mueller thought his results were going to show something different than all the other climate studies, and what he found was not what the Koch brothers sent him looking for. Here is what Dr. Mueller, in his own words, said:

You should not be a skeptic, at least not any longer.

Bottom line: His studies found exactly what all the other credible climate studies have been telling us for decades—that global warming is real.

If we just step out and look around for a moment, we can see the effects everywhere: floods, droughts, pathogens, disease, species and habitat loss, sea level rise, storm surges that threaten our cities and coastlines. No continent is escaping unscathed: increasing ground instability in permafrost regions, increasing avalanches in mountainous zones, warmer and drier conditions in the Sahelian region of Africa leading to a shorter growing season, and coral bleaching events in the Great Barrier Reef. All these are attributed to this change in climate.

I wish to take a moment to bear down on the science, the cold, hard, stubborn facts that ought to guide us in addressing this challenge. It is detailed, to some degree, but it is the very detail that detractors can never address or refute. It is important to see the detail in its cumulative force. Unlike the naysayers, I am going to give point by point to some of the falsehoods and lay out a summary of the critical evidence that ought to lead America and the world to action.

Here is what the science is telling us: Atmospheric carbon dioxide levels have increased by nearly 40 percent in the industrial era, from 280 parts per million to over 393 parts per million in the atmosphere. Before long, we are likely to see a global average of concentration at 400 parts per million and more. Within the last few months, monitoring stations in the Arctic region, for the first time, reported average concentrations of CO_2 at 400 parts per million. Because of the remote nature of those monitors, they generally reflect long-term trends as opposed to marginal fluctuations in direct emissions near population centers.

As atmospheric scientist Pieter Tans, with the National Oceanic and Atmospheric Administration points out:

The northern sites in our monitoring network tell us what is coming soon to the globe as a whole. . . . We will likely see global average CO_2 concentrations reach 400 ppm about 2016 [4 years from now].

Why is this important? This is important because scientists have told us that anything above 450 parts per million—a warming of 2 degrees Celsius—could lead to severe, widespread, and irreversible harm to human life on this planet. When concentrations of other greenhouse gases, such as methane and black carbon, are factored into the equation, the analysis suggests that stabilizing concentrations around 400 parts per million of equivalent carbon dioxide would give us about an 80-percent chance of avoiding a 2-degree Fahrenheit increase above the present average global temperatures.

Considering what a 2-degree Fahrenheit increase would mean, scientists obviously are urging us not to take the risk. James Hansen, Director of the NASA Goddard Institute for Space Studies, has done the math. His analysis shows that we need to be shooting

for a stabilization level of 350 parts per million in order to increase our chances of avoiding the 2-degree Fahrenheit increase. We have already exceeded that. So we are going to have to find a way to actually go backward in order to be able to prevent what scientists are telling us could create huge damage.

Even if we slam on the brakes now, science tells us we could be headed for a global temperature increase of 2 to 4 degrees by the century's end and greater warming after that. Let me share what some of the ''postcards from the edge,'' if you will, look like when you examine what is happening to our air, our health, and our environment. Warming temperatures, first of all. The first 10 years of this century were the warmest decade on record. And 2010 was tied with 2005 as the hottest year ever recorded. NOAA has reported that 2011 was the second warmest summer on record, just .1 degrees Fahrenheit below the 1936 record, and the U.S. Climate Extreme Index—a measure of the area of the country experiencing extreme conditions—was nearly four times the average.

Last year many Northeastern States experienced their wettest summers, especially those States caught in Hurricane Irene's destructive path. Meanwhile, persistent heat and below-average precipitation across the Southern United States created recordbreaking droughts in Louisiana, New Mexico, Oklahoma, and Texas, and these were of greater intensity than the 1930s famous Dust Bowl. Texas endured the country's hottest summer ever recorded for any State, at an average temperature of 86.8 degrees.

What is shocking is that the evidence of the rate of this transformation is happening faster and to a greater degree than the scientists predicted. So one would think reasonable people would say: Wait a minute, they predicted this, but we are getting this way up here, and everyone would sort of stop and take stock of what is happening.

According to the new climate report from NOAA, the lower 48 States elbowed their way into the record books this spring with ''the warmest March, third warmest April, second warmest May . . . the first time that all three months during the spring season ranked among the 10 warmest since records began in 1895.'' In fact, the average temperature this spring was so far off the charts that the lower 48 States beat out the old 1910 record by a full 2 degrees Fahrenheit.

Inland, worsening conditions are going to create persistent drought in the Southwest and significantly increase western wildlife burn area. That is critical. We have already seen the damage done to millions of acres of forest because of the pine bark beetles, which actually live longer because it doesn't get cold and therefore they do not die in the normal cycle. But in recent years, due to warmer winters, pine beetle populations have exploded, devastating these once majestic forests.

It is also having an impact on our health. As average temperatures rise, we can expect to see more extreme heat waves during our summers, and, as we know from history, that impacts people with heart problems and asthma, the elderly, the very young, and the homeless. In the United States, Chicago is projected to have 25 percent more frequent heat wave days by the end of the century. In Los Angeles, we could see as much as a four- to eightfold increase.

Climate change may also heighten the risk of infectious diseases, particularly diseases found in warm areas and spread by mosquitoes and other insects, such as malaria, dengue fever, and yellow fever. In some places, climate change is already altering the pattern of disease. In the Kenyan Highlands, for example, it is now one of the major drivers of malaria epidemics.

It is not just the health costs that are sounding the alarm. As many have seen with their own eyes, the Arctic is among one of the most startling places to witness the adverse effects of global climate change. Great sheets of ice have been breaking off of glaciers—sheets of ice the size of the State of Rhode Island. Marine mammals are now struggling to survive. Where there used to be only frozen landscapes, there is now open water.

Every new report that is public suggests the situation is getting grimmer in the Arctic. Last year the multicountry Arctic Monitoring and Assessment Program released a new assessment of the impact of climate change in the Arctic. It found that the period from 2005 to 2010 was the warmest ever recorded. According to AMAP researchers, the changes in icemelt over the past 10 years ''are dramatic and represent an obvious departure from the long-term patterns.''

Their conclusion is startling. They expect the Arctic Ocean to be nearly ice-free within this century, likely in the next 30 to 40 years.

Think about that for a second. Within our children's lifetimes, one of Earth's polar icecaps will be completely gone. Average annual temperatures in the Arctic have increased at approximately twice the rate of average global temperatures. Within a generation, maybe two, kids will grow up learning geography on maps and globes that show simply an empty blue expanse on top of the world, no longer the white one to which we have grown accustomed.

In terms of impact, all of us who have been following this issue understand that the melting of the Arctic is at least partly mitigated by the fact that the ice is already floating, so the displacement in the ocean as it melts is not that significant. But what if there is an ice melt from the glaciers, as we are now seeing not only in the Arctic but we are seeing in Greenland and in Antarctica and across North America, South America, and Africa—when you realize that all over the globe, glaciers and icecaps are losing volume—that means other day-to-day, practical problems for our communities.

This is a photograph of the glaciers that exist out in the western part of our country, or used to. That was 1909, and this is 2004—almost gone. Here is another vision of National Glacier Park, where it has almost disappeared. It is obvious for all to see the degree to which the glaciers are disappearing.

Many people may not also realize that a lot of communities in the United States rely on annual glacial melt for municipal water supplies and for hydropower. So as this disappears, the energy sourcing and water sourcing for the United States disappears with it. Just ask Washington State, where glacial melt water provides 1.8 trillion liters of water every summer, or talk to the folks in Alaska, where glacier melt plays a key role in the circulation of the Gulf of Alaska, which is important to maintaining the valuable fisheries—the halibut and salmon—that reside in this body of water. All these impacts are interconnected.

Again, the skeptics say: Hey, there are a couple of glaciers that are actually expanding. Yes, there are some glaciers that are responding to unusual and unique local conditions and increasing in snow and ice accumulation, but the overwhelming evidence, when we look at the vast majority, shows that most of America's glaciers are shrinking. Over the last four decades of the 20th century, North American glaciers have lost 108 cubic miles of ice. That is enough ice, translated into water, to inundate California, Arizona, Nevada, Utah, and Colorado with 1 foot of water if it happened all at the same time.

In 1850 there were approximately 150 glaciers in what is now Glacier National Park. Today, due to warmer temperatures, there are only 25 named glaciers remaining, and some models predict that the park's glaciers could disappear in just a few decades. But trust your own eyes, if you prefer. The photographs here depict glacial melt over various time periods in Glacier National Park, Montana, and Holgate Glacier and Icy Bay, Alaska. As you'll see, the effects are just staggering.

We all remember Wordsworth's lines about ''the Lake that was shining clear among the hoary mountains.'' Well, these mountains are no longer hoary, and soon, lakes will reflect not snow-covered peaks, but naked ridges and sun-splashed steeps.

To make matters worse, temperatures are likely to increase exponentially in the next coming years. Because the environment is a closed system, the more conditions change, the faster they change because each change has an impact on some other interconnected component of the environment.

As the ice and permafrost melt, methane plumes from under the surface that have been trapped for hundreds of thousands of years are now emerging. During a survey last summer in the east Siberian Arctic seas, a team of scientists encountered a high density of methane plumes, some more than 1 kilometer across. They were emitting methane into the atmosphere at concentrations up to 100 times higher than normal. There are people who have stood by these methane plumes, lit a match, and they light on fire. The fact is, over a period of 100 years, methane has a warming potential roughly 25 times greater than CO_2.

So we may become the victims not just of the climate change itself but of a vicious kind of feedback and feedback cycles in the climate system. Cycles associated with less cloud cover, changes in aerosols, peatlands, soils, and Arctic ice cover all can lead to accelerated climate change. One study estimated that thawing permafrost may turn the Arctic from a carbon sink—that is to say a place that gathers and stores carbon—into a carbon source by the mid-2020s, releasing 100 billion tons of carbon by the end of the century. What does that mean? One hundred billion tons of carbon is about equal to the amount of CO_2 that would be released worldwide from 10 years of burning fossil fuels. So that is the future we are looking at if we don't respond.

Here is another postcard from the edge, Mr. President. North Carolina doesn't think they need to worry about the sea level rise, but take a look at the evidence. Our best studies predict a higher sea level rise than previously projected. With the melting of the west Antarctic ice sheet alone, global sea levels could rise by as much as 3.26 meters in the coming years, and the Pacific and Atlantic coasts could be in for a 25-percent increase above the average level by the century's end. In all, the melting of the Greenland ice sheet has the potential to raise global sea levels by about 7 meters, and the ice sheets of Antarctica have the potential to contribute to 60 meters of sea level rise.

Now, when people say, ''Well, global—it may not melt,'' there are Senators who have traveled to Greenland, who have stood on the ice sheet and looked down into it, into a hole 100-feet deep, and seen a massive, torrential river running underneath the ice out to the sea as the ice is melting.

Some scientists are even worried about the effects of that river under the ice. Could it act as a slide, where actually whole chunks of ice break off and slide down on this watery base on which the ice is sitting?

Think about what this all means. As the New York Times reported in March, some 3.7 million Americans living within a few feet of high tide are at risk from the rising sea. So all of you state senators out there, listen up: the effects of climate change will spare no one—from Tampa to Asheville, from Sausalito to Staten Island, all coastal communities are vulnerable.

NOAA's Benjamin Strauss, coauthor of a smart new study on topographic vulnerability, said the following:

> Sea level rise is like an invisible tsunami, building force while we do almost nothing. . . . We have a closing window of time to prevent the worst by preparing for higher seas.

I think that is exactly right, and that is why city officials in Boston are currently actively planning for how to manage 100-year floods that are now arriving every 20 years. We don't have 100-year floods anymore, we have them every so often—every 5 years or 20 years. In the face of a global sea level rise of 3 to 6 feet by the end of the century, there will be massive amounts of flooding. So we ought to pass legislation at the State level to plan, not to ban the planning. It is easy politics to ban it, but it is not smart politics, and it certainly isn't courageous leadership. Just ask those living in Tuvalu and the low-lying nation of Kiribati. Think they could use some advance planning to deal with the ''king'' tides that may soon drown out life on their shores? You bet. But instead of learning from them, we've succumbed to the siren call of short-term interests.

One resident of Tuvalu poignantly asked: ''What will happen to us in ten years' time?'' I wish I could delay her fears. I wish I could tell her that the climate change would only be limited to occasional sea level rise, and that—naturally, surely—the king tides would recede.

But the truth is much more harrowing. We also have raging floods and water scarcity—a dichotomy—in various parts of the world. From Veracruz to Songkhla Province in Thailand, floods are devastating crops and stealing away opportunities for millions. In my travels, I have seen children orphaned by raging flood waters, families deprived of basic necessities, such as food, clean drinking water, and medicine. I have also seen the ways in which climate change has interacted with conflicts, food insecurity, and water scarcity. People are fighting and killing each other over water scarcity in various parts of the world. In Darfur and in South Sudan, there are tensions over arable lands. Think of drought in Syria and its impact on farmers in southern Dara'a. Think of water scarcity in Yemen—and the list goes on. These are the invisible tsunamis Benjamin Strauss spoke of, and they develop slowly and quietly and determinately, and they devastate communities just as surely as they should kindle our sense of urgency about the cost of inaction.

In addition, although I am not going to go into the details now, there is major decimation of animal life and plant life and species life as a consequence of this interconnectedness. In addition, forests are under siege from drought and experiencing more fires and more die-off as a consequence of insect infestation because it doesn't get cold enough anymore to maintain the previous cycles of those insects dying off.

So the fact is that unmitigated climate change is creating enormous economic dislocations already, and it is only going to get worse if we don't act. Professor Frank Akerman, a prominent economist at Tufts University, found that inaction in the face of climate change could cost the American economy more than 3.6 percent of GDP—''or $3.8 trillion—annually by the end of the century. And he is not alone. Harvard economist Joseph Aldy estimates that if temperatures push past the 2 degrees mark, up to 2 to 4 percent of world GDP would be lost.

The ACTING PRESIDENT pro tempore. The Senator has used 45 minutes.

Mr. KERRY. I thank the Chair.

So developing countries are going to face similar costs. According to a major international initiative on ''The Economics of Ecosystems and Biodiversity'', developing countries will spend an estimated $70 to $100 billion a year from 2010 to 2050 just to adapt to a two degrees Celsius change in global temperatures, with the majority spent on protecting infrastructure and coastal zones, managing the water supply, and protecting against the effects of floods.

The ''grow now, clean later'' approach is no longer viable—if it ever was. Before you know it, one quarter of the world's land surface will bear the marks of soil erosion, salinization, nutrient depletion and desertification. Imagine what this will do to agricultural productivity and water supplies.

Another way of looking at this is to consider not the cost, but the economic benefits of keeping our ecosystems intact.

Back in 2005 the World Bank estimated the total value of the world's natural assets to be $44 trillion. The countries that manage their forests, agricultural lands, energy, minerals, and other natural assets are going to be the economic leaders in the 21st century, and they will be able to reap the benefits of the ecosystem services like coral reefs, which provide food, water purification, tourism and genetic diversity—services valued at $172 billion annually. And they'll be able to invest more in the ''intangible'' drivers of growth like human skills, education, and innovation.

Mr. President, the message from all of this could not be more clear. Over 40 years ago, 20 million Americans—fully one-tenth of our country's population at the time—came together on one single day to demand environmental accountability.

It was called Earth Day. And they didn't stop there. They elected a Congress that passed the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Marine Mammal Protection Act, Coastal Zone Management Act, the Endangered Species Act, and the Toxic Substances Control Act. They created EPA. America didn't have an EPA

until the 1970s when people said: We don't want to live next to wells that give us cancer. We don't want to live next to rivers that actually light on fire. So we made a huge transformation.

We need Congress now to do what the science tells us we have to do, to do what our economists tell us we have to do, to do what common sense demands that we do: It's time for Congress to stand up and do its part on climate change.

I don't know how many have read David Orr's terrific book, ''Down to the Wire: Confronting Climate Collapse,'' but it is important for everyone to understand his argument. Nowhere is the challenge of our moment more clearly expressed. He says:

> The real fault line in American politics is not between liberals and conservatives . . . it is, rather, in how we orient ourselves to the generations to come who will bear the consequences, for better and for worse, of our actions.

As Orr reminds us, we are at a tipping point—and it is going to take leadership to respond to it. Unfortunately, we have been witnessing just the opposite. In a talking point memo to his fellow Republicans last summer, House majority leader ERIC CANTOR of Virginia took aim at environmental safeguards. Job killers, he called them, listing the ''top 10 job-destroying regulations,'' seven of which dealt with reducing air pollution from industrial incinerators, boilers and aging coal-fired power plants.

Job killers? The facts just don't support that.

The Labor Department, however, keeps close tabs on extended mass layoffs, and in 2010 the Department found that of the 1,256,606 mass layoffs, employers attributed just 2,971 to government regulation. That is only about two-tenths of 1 percent of all layoffs.

In fact, decreasing carbon pollution actually presents a huge economic opportunity in terms of new jobs and innovation.

For every $1 we spend, we get $30 in benefits. The U.S. environmental technology industry in 2008 generated approximately $300 billion in revenues and supported almost 1.7 billion in jobs. The air pollution sector alone produced $18 billion in revenue.

If we're going to remake the world before 2050, and this is one area where I agree with my Republican friends, we're going to have to harness the power of the good old American market economy. And one way to do that is to put a price tag on carbon and other global warming pollutants.

With a price tag, we more accurately reflect the consequences of these pollutants, not just for the environment but also for the quality of our lives and the health of our families. If we understand the consequences of our choices, especially in economic terms, we'll make better choices.

One way to do this is to levy a pollution fee that reflects the true environmental cost of coal and oil. But there's no chance the current Congress will enact any tax, especially one on smokestack industries.

Over the course of 2011, the Republican-controlled House held nearly 200 votes to weaken our environmental safeguards, including the bedrock legislation spawned by the very first Earth Day—the Clean Air Act, the Clean Water Act, the Endangered Species Act, even the agency created to enforce those laws, the Environmental Protection Agency.

If we don't use the market, the other option is, inevitably, direct regulation of carbon emissions by the EPA under the Clean Air Act. The conservative-dominated Supreme Court has already given the green light to the EPA to do this. But this invites even more bitterness and political partisanship.

Besides, pricing pollution has already shown itself to be effective. During the 1980s, instead of imposting regulations, we used a cap-and-trade system to reduce the sulfur dioxide emissions from power plants that caused plant- and soil-destroying acid rain. The system included cash incentives to over comply: polluters received allowances for every ton of sulfur oxide under the limits, and they could trade, sell or bank the allowances. The system worked so well that regulated plants reduced emissions 40 percent more than required.

There is every reason to believe some variation of that system would work just as well to curb carbon emissions. But anything related to or resembling ''Cap And Trade'' isn't the best rallying cry these days thanks to the concerted, cynical re-branding of the concept. But whatever rallying cry is used, the point is the time for action is now. We need a ''Million Man-Million Woman-Million Child'' March on Washington and the voting booths of America. We need people marching up the steps of the Capitol, pounding on the doors of Congress, demanding a solution to our climate crisis.

We also know we need deadlines to instill a sense of urgency. There is a deadline coming up this week in Rio where they are now having Rio Plus 20, the 20-year anniversary of that meeting I referred to at the beginning. Much has changed since the first Earth Day summit back in 1992—and much of it for the worse. True, we're seeing innovation and entrepreneurship flourish in countries that were once considered among the poorest. We should celebrate that. But I'll tell you: Twenty years after Rio and 15 years after Kyoto, we are still further behind than ever. The science is screaming at us, and the planet is sending us an SOS.

We obviously failed to be held accountable or to implement the commitments we put in place 20 years ago. Earlier this month, the United Nations Environmental Program issued the official summit report, which noted ''significant progress'' in only 4 of 90 environmental goals over the past five years. We can—and we must—do better.

I spoke earlier of the need to take advantage of the green energy economy. Our best economists say to ward off catastrophic climate change, the green revolution has to happen three times faster than the industrial revolution did. I believe that is why America and the rest of the world are facing this moment of truth.

Will we step up and put in place the policies that galvanize our green entrepreneurs, that drive development of new clean technologies, reenergize the economy, and tackle climate change all at the same time? We are the country that invented solar and wind technology, but the Germans, the Japanese, and the Chinese are the ones who are developing it. It is a tragedy. Today, of the top thirty companies in the world in solar, wind and advanced batteries, only six are based in the United States. If we do this right, I truly believe that the next four or five Googles will emerge in the energy sector. The question is not whether the twenty-first century economy will be a green economy—it has to become one, and it will. The question is whether it happens in time to avert catastrophe, and whether America will continue to lead.

Accelerating the transition to a new energy paradigm is the most important single step the world can take in order to reduce the threat of climate change. And Rio is as good a place as any to make that happen. At the Summit, nations are expected to announce commitments to the Sustainable Energy for All initiative. Tackling the challenges of energy access, energy efficiency and renewable energy in an integrated way is absolutely essential. That's why a wide variety of stakeholders—from governments to businesses to civil society leaders—have indicated that they will be coming to Rio with national action plans in hand that can be monitored over time as part of a new mission of the United Nations and its partners.

I am convinced countries that take advantage of the opportunities are going to be the leaders of the 21st century. I have already seen that success in Massachusetts. Massachusetts was recently ranked first in the Nation in energy efficiency and clean energy leadership, edging out California for the first time ever.

I think my State is an example of the speed in which we can turn things around. Our unemployment level just went down to the 6-percent level, and it is because we do have that diversity and we are moving in that direction.

Now, obviously, the government alone can't solve this. Government can help create a structure. Private sector is the key. But we need to put in place the policies that send a message to the marketplace that we are serious about doing this.

The bottom line is we need to face up to this challenge once and for all—not just as individuals or as separate interests but as a nation, with a national

purpose. The Pew poll recently showed a 46-point gap between Republicans and Democrats on the need to protect the environment. And I'll give you one guess which party fell by 39 points in its support for protecting the environment since 1992. So I understand if there is a 46-point gap and we have had all this discounting and disinformation, this is going to be hard still.

But David Orr is right on the mark: Our challenge is fundamentally political. It is not about budgets. It is not about regulations. It is about leaders in the country who are unwilling to deal with the truth about climate change and who have cowed the silent majority into submission with their contrived and concerted attacks without facts.

I've spoken before about this country's crisis of governance and the dangers of being held hostage to one party's remarkably cynical and selfish drive for power that comes at the expense of all common sense. Today, we need a transformative moment in our politics. David Orr spoke to that in the book I already cited.

He said:

> Our situation calls for the transformation of governance and politics in ways that are somewhat comparable to that in U.S. history between the years of 1776 and 1800. In that time Americans forged the case for independence, fought a revolutionary war, crafted a distinctive political philosophy, established an enduring Constitution, created a nation, organized the first modern democratic government, and invented political parties to make the machinery of governance and democracy work tolerably well.

Colleagues, we have made transformative changes before, and there are other kinds of examples. We once burned wood for our fuel. Then we transitioned to relying on oil and coal, and now other things. We can make the leap to a mix of renewable energy sources—hydro, wind, solar, and others—but we need to set our sights on that next transformation.

As the old saying goes from the Arab oil minister in the 1970s:

> The Stone Age didn't end because we ran out of stones, and the oil age is not going to end because we run out of oil.

Truer words could not be spoken.

In the end, the question is not whether we are going to pay for climate change; we are already paying for it—in warmer temperatures, rising sea levels, melting glaciers, floods, droughts, wildfires, decimation of animal and plant life, loss of crops, insurance on homes, increased storms. We are paying for it. The real question is whether we are going to walk a path that now addresses it in a responsible way and helps us break humanity's addiction to the easy way—to oil—and turn away from the other alternatives that face us that clean up our environment and create jobs. The question is whether we are going to suffer the consequences later on a massive, unpredictable scale in the form of environmental devastation, war, human misery, famine, poverty, and reduced economic growth for decades to come.

I close by saying that the fork in the road points in two directions. The task for us is to take the one less traveled. At the height of the American revolution Thomas Paine wrote about the ''summertime soldiers and the sunshine patriots'' who abandoned the cause. The science has shown us, and continues to show us, that we cannot afford to be summertime soldiers.

So in this time of challenge and opportunity, I hope and pray colleagues will take stock of this science, will take stock of the choices in front of us, will understand the economic opportunities staring us in the face. I hope we will confront the conspiracy of silence about climate change head on and allow complacence to yield to common sense and narrow interests to bend to the common good. Future generations are counting on us.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

RECENT INTELLIGENCE LEAKS

Mr. MCCAIN. Mr. President, over the last 2 weeks several Members of this body and I have raised serious concerns about a series of leaks that recently appeared in several publications concerning certain military and intelligence activities—activities the authors themselves cite as among the Nation's most highly classified and sensitive. These enormously troubling leaks have raised concerns amongst both Democrats and Republicans in Congress, including leaders of our Intelligence, Armed Services, Foreign Relations, and Homeland Security Committees.

According to Senator DIANNE FEINSTEIN, who chairs the Senate Select Committee on Intelligence:

> These disclosures have seriously interfered with ongoing intelligence programs and have put at jeopardy our intelligence capability to act in the future. Each disclosure puts American lives at risk, makes it more difficult to recruit assets, strains the trust of our partners, and threatens imminent and irreparable damage to our national security in the face of urgent and rapidly adapting threats worldwide.

For these reasons and more, 26 other Members and I filed a resolution that conveys the sense of the Senate that the Attorney General should appoint an outside special counsel to investigate these leaks.

I have been around for quite some time. I think there is no doubt that these leaks are almost unprecedented in that they are ongoing covert operations that are directly involved with the greatest threats to our Nation's security. I certainly understand that robust public debate about the Nation's offensive use of cyber-related and unmanned-strike capabilities is valuable and warranted, that debate and discussion is valuable and warranted. The use of these kinds of military capabilities is new, and how these secretive warfighting capabilities should be deployed by a modern democracy deserves careful and thoughtful discussion, and we will have discussions in the future about these new aspects of warfare and counterterrorism.

But the detail with which these articles lay out particular counterterrorism activities—and as one commentator recently described, the ''triumphalist tone of the leaks—the Tarzan-like chest-beating of [the] various leakers,'' greatly exceeded what is necessary or appropriate for that discussion. Something else—something very different—is going on.

Considering how closely in time these items were published and how favorable of an impression they left upon the President's approach to national security, it is not unreasonable to ask whether these leaks were part of a broader effort to paint President Obama, in the midst of an election year, as a strong leader on national security issues. That is the strong impression that is given.

The most compelling evidence is the obvious participation of some of the administration's senior-most officials. Among the sources that New York Times journalist David Sanger cited in the passage of his recent book pertaining to U.S. cyber attacks on Iran are ''administration officials'' and ''senior officials,'' ''senior aides'' to the President, ''members of the President's national security team who were in the [White House Situation Room] during key discussions,'' an official ''who requested anonymity to speak about what is still a classified program,''; ''current . . . American officials . . . [who would not] allow their names to be used because the effort remains highly classified, and parts of it continue to this day,'' and several sources who would be ''fired'' for what they divulged—presumably because what they divulged was classified or otherwise very sensitive.

Some of the sources in recent publications specifically refused to be identified because what they were talking about related to classified or ongoing programs.

In his book, which describes the administration's use of drones in Yemen, Newsweek journalist Daniel Klaidman writes:

> [W]hen I quote President Obama or other key characters, I do so only if that quote was relayed to me by a source who personally heard it.

That certainly narrows down the number of people who could be guilty of these leaks.

On Sunday, a reviewer of both Mr. Sanger's and Mr. Klaidman's books for the Washington Post found—as I did—that ''[both authors] were clearly given extraordinary access to key players in the administration to write their books . . . [i]n some cases, they appear to have talked to the same sources: [s]everal of their stories track nearly word for word.''

Perhaps most illuminating in all of the articles and books is how, taken together, they describe an overall perspective within the Obama White

House that has viewed U.S. counterterrorism and other sensitive activities in extraordinarily political terms and taken on a related approach about how classified information should be handled. Both approaches would have predisposed the administration to the most recent, egregious national security leaks.

There are plenty of examples of how the administration apparently viewed these highly sensitive matters through a political prism. In his book, Mr. Klaidman observed that then-White House Chief-of-Staff Rahm Emanuel, ''pushed the CIA to publicize'' successes associated with a covert drone program because ''the muscular attacks could have a huge political upside for Obama, insulating him from charges that he was weak on terror.'' Mr. Klaidman noted, that ''[as to the killing of a particular drone target,] [CIA] public affairs officers anonymously trumpeted their triumph, leaking colorful tidbits to trusted reporters on the intelligence beat, [with] [n]ewspapers describ[ing] the hit in cinematic detail.''

A recent article in The New York Times similarly noted:

> David Axelrod, the president's closest political adviser, began showing up at the 'Terror Tuesday' meetings [by the way, during which drone targeting was discussed], his unspeaking presence a visible reminder of what everyone understood: a successful attack would overwhelm the president's other aspirations and achievements.

And, in his recent book, Mr. Sanger notes:

> [O]ver the course of 2009, more and more people inside the Obama White House were being 'read into' the cyber program, even those not directly involved. As the reports from the latest iteration of the [cyber-]bug arrived, meetings were held to assess what kind of damage had been done, and the room got more and more crowded.

Let's look at another anecdote in Mr. Sanger's book that provides another powerful example of what I am talking about. In this excerpt, Mr. Sanger depicts a curious meeting that occurred in the fall of 2009 in Pittsburgh at the G–20 economic summit. He writes:

> As often happens when the president travels, there was a dinner organized with a number of other reporters and several of Obama's political aides, including David Axelrod and Rahm Emanuel. The talk was mostly politics and the economic downturn. But just as coffee was being served, a senior official in the National Security Council tapped me on the shoulder. After dinner, he said, I should take the elevator to the floor of the hotel where the president had his suite. 'We'll talk about Iran,' he whispered.
>
> Obama was not back at the hotel when we gathered that evening outside his suite. But most of the rest of the national security staff was present and armed with the intelligence that had been collected over many years about Iran's secret site. As they laid it out on a coffee table in the hotel suite, it was clear that this new site was relatively small: it had enough room, they estimated, for three thousand centrifuges . . .
>
> Via satellite photos, the United States had mapped the construction of the building—useful if it ever had to hit it. It was clear from the details that the United States had interviewed scientists who had been inside the underground facility . . . We spent an hour reviewing the evidence. I probed them to reveal how the facility was discovered and received evasive answers . . . Then I went down to my hotel room and began writing the story.

It absolutely eludes me under what circumstances it would be appropriate for a senior national security official to provide a reporter the opportunity to review for an hour what appears to have been raw intelligence supporting the government's recent discovery of secret nuclear sites in Iran. Yet, this vignette is indicative of what appears throughout the book as a pervasive administration perspective that viewed even the Nation's most secretive military and intelligence activities in starkly political terms and was overly lax on how related intelligence should be handled. These stories provide a revealing context for the most recent leaks—leaks that everyone has conceded have compromised our national security.

I would like to believe that the Justice Department will get to the bottom of all this. But after watching senior White House advisor David Plouffe's appearance on Fox News on Sunday, I highly doubt that it will. I was particularly troubled by Mr. Plouffe's inability or refusal to answer whether the White House will cooperate fully with the investigation and whether President Obama would agree to be questioned by investigators as President Bush was during the Valerie Plame case. I was also discomforted by Mr. Plouffe's statement that the White House talked to Mr. Sanger for his book but did not leak classified information, which of course prejudges the outcome of the investigations.

As one commentator observed yesterday, Mr. Plouffe's answers:

> were so rehearsed, clumsy and full of forced distractions and faux frustration that[,] if [his] interview [on Fox News] had been conducted by law enforcement[,] Plouffe would have been told he was going for a ride downtown to the police station for further questioning.

As this commentator noted, from these sorts of appearances, it's apparent that ''[t]he administration has something to hide. Plouffe could not have been more parsed, poorly prepared or unconvincing.''

Moreover, just this past Friday, The Washington Post reported that Federal authorities have interviewed more than 100 people in the two ongoing leak investigations and, specifically citing ''officials familiar with the probes,'' described these interviews as ''the start of a process that could take months or even years.'' According to anonymous ''officials,'' the Post also noted that ''the pace of the investigations is partly driven by the large number of government officials who had access to the material that was disclosed and who now must be interviewed.'' The fact that details about these leak investigations are themselves being leaked does not inspire me with confidence that we are on the right track.

Furthermore, according to the Post, citing ''officials who spoke on the condition of anonymity because of the sensitivity of the matter,'' the two pending investigations focus on the Associated Press article about a disrupted terrorist bomb plot by al-Qaeda's affiliate in Yemen and The New York Times' report about the Obama administration's role in authorizing cyberattacks against Iran. In other words, there appears to be no probe of the leaks relating to U.S. drone operations. Apparently, ''officials'' told the Post that such an investigation had not been requested.

Why not?

With the passage of time, the need for the Attorney General to appoint an outside special counsel to independently investigate and, where appropriate, hold accountable those found responsible for these egregious violations of our national security, becomes clearer and stronger. At the end of the day, can we really expect the administration to investigate itself impartially in the midst of an election on a matter as highly sensitive and damaging as this leaks case, especially when those responsible could themselves be members of the administration? Plus, we are not talking about an isolated instance of one leak. As my colleague, the chairperson of the Senate Intelligence Committee, Senator DIANNE FEINSTEIN rightly observed, we are talking about ''an avalanche of leaks'' on national security matters—the implications of which are severe.

To date, I have seen no evidence that suggests that the American people should rely on the direction that the White House has chosen to provide a full and timely investigation of these leaks. For these reasons, I once again call on the appointment of an outside special counsel to do so today. Just as former Senator BIDEN and former Senator Obama called for a special counsel in the case of Valerie Plame, a case far less severe as far as the implications to our national security are concerned.

As I said at the beginning of my comments, I have been around this town for quite a while. I, like the rest of my colleagues, have never seen leaks of this nature at such a high level concerning ongoing covert operations. They deserve an investigation which will have credibility with the American people. So far that has not been forthcoming from this administration.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Oklahoma.

AGRICULTURE REFORM

Mr. COBURN. Mr. President, I assume we are in morning business. Because we are in morning business, I am going to use that time to talk about four amendments I have to the Agriculture bill. I want to make one acute observation to the American people on what is going on in Washington.

The four amendments I will have on the Agriculture bill are a symptom of the disease that is in front of our Nation. This year we are going to run about a $1.3 trillion deficit. At the end of this fiscal year we will have 16.25 trillion dollars' worth of debt. I am 64 years of age. My children and grandchildren are going to pay back my portion of that debt. I am not going to be paying it back. The questions in front of our Nation are, No. 1, how did we get to this point, and, No. 2, what are we going to do about it.

What we are going to hear today as we begin voting on the amendments, what we are going to hear from the Senate, is why we cannot cut spending, why we cannot limit our appetites, why we cannot end subsidies to some of the richest co-ops in the world, why we cannot stop sending money to the Republican and Democratic Conventions out of the Treasury, why we cannot limit some of the conservation programs that go to millionaires—why we cannot do it. We are going to hear why we cannot.

This country cannot wait for us to continue hearing excuses about why we cannot trim our expenditures. The real problem is the Federal Government is going to take in $2.6 trillion, and it is going to spend about $3.8 trillion. That is the real problem. We ignore it politically by not making hard decisions, by not reforming the Tax Code for a progrowth, lower rates, broader base where everybody is participating in the Tax Code. People, through their well-connectedness, don't have to get out of special benefits to them, which is $30 billion a year for the very wealthy in this country in the Tax Code. We refuse to do those things. We have campaigns going on all across the country and nobody is talking about the No. 1 threat to this country, which is our debt and our deficits.

The reason there is no job creation is not because politicians don't want job creation. It is because they refuse to reform the very things that are keeping job creation from happening.

I am going to have four amendments. All of them actually save money for the American taxpayers, our kids, and our grandkids. They are all common sense. Most people outside of Washington will agree with them except the very people who are getting the benefits. They are the well-heeled, and they are the well-connected who continue to get things for themselves to the detriment of our future.

The question the American people have to start asking is when is Washington going to grow up? When are they going to start taking responsibility for their addictive behavior? Everybody who comes into my office who has lobbied me on these four amendments say: You can't take anything away from me. Do my colleagues realize what the answer is when anybody says: You can't take anything away from me? The answer is bankruptcy and a position, in terms of the economics of this country, that will be far worse than the Great Depression ever was and far worse than anything our country has ever experienced. But everybody says: What I am getting now I have to keep, regardless if someone is a multibillion-dollar conglomerate co-op and we are sending someone $100 million every 10 years to advertise their product.

The second point I will make before I outline these four amendments is the one thing we refuse to look at that can guide us on how to make these decisions is article I, section 8 of the Constitution. What is the real role for the Federal Government? I will tell my colleagues as we look at these four amendments, we are going to have trouble squaring what our Founders said was our role with what we are doing now in these four areas and then saying we are not violating the Constitution by spending money we don't have—money we are going to have to borrow to be able to spend—and spend it in areas that help the well-heeled and the well-connected.

All of these amendments are very straightforward.

I wish to make one other point. We spend $200 million a year through five separate programs of the government to promote agricultural products outside of this country—$200 million a year. That is $2 million every 10 years. Let's show how effective they have been by looking at this chart. Whether one thinks it is constitutional, what kind of a job have they done since 1997? I don't think that trend line looks very good. So if we are going to spend $200 million paying for the promotion of agricultural products outside of this country, maybe we ought to ask the question: Why are we on a declining slope, as far as percentage of the world's agricultural sales, at the same time when farm income in this country has never been higher? Why is it? Because the Federal Government is not very good at doing things the private sector is very good at.

We have five separate programs within the Department of Agriculture to do this, and the question the American people ought to be asking is: Why do we have five programs? If, in fact, it is a role for the Federal Government, which I highly doubt under the Constitution, why do we have five? So that is how well we are doing.

I will talk about the first program. The market access program is one of the five programs the Federal Government has within the Department of Agriculture to do this. The Obama administration actually agrees with this amendment. In their budget, they put a recommendation to trim this. Yet all we have heard from everybody out there who gets the soft ride on this is that we can't take any money away from this program. If we can't take $40 million a year out of a program that is ineffective, history is here. We are going to be belly up, and the consequences of that will be devastating not just for our kids but for us, because it is going to come in the very near future.

All this amendment says is out of these five programs, let's cut this one 20 percent. The Obama administration recommended doing that. The GAO says there is nothing to say that this is effective use of tax dollars. One would think we are pulling toenails, to hear the people scream. I won't go into the details on this amendment because my time is limited. It means we are still going to spend $160 million on this one program, which is one of five, to promote agricultural products when we are not being successful in spending that money anyway.

The question is, Why would we vote against it? Because there is a parochial interest somewhere that we are going to be beholden to that is greater than our interest and fidelity to the U.S. Constitution or our interest and fidelity to the future of this country. That is why people will vote against this amendment. It doesn't have anything to do with common sense. It doesn't have anything to do with the fact that we are going to run this significant deficit when we have a $16 trillion debt. It has to do with how do I make sure I am not in trouble with the parochial interests rather than doing the right, best thing for our country.

The second amendment—and I have received a lot of criticism for it—is in conjunction with Senator DURBIN. For those people with adjusted gross incomes of greater than three-quarters of a million dollars a year, all this amendment does is decrease the subsidy the middle-income, hard-working factory worker or service worker in this country pays with their taxes to subsidize a crop insurance program that guarantees a profit and yield. Instead of a 62-percent subsidy by the Federal Government when they are making more than three-quarters of a million dollars per year, we take it to 47 percent. What do we hear? Oh, we can't do that. If a person is making $750,000 a year farming, that person's capital should be in pretty good shape and they should be able to afford to take on some more of the risks.

We are going to hear: Well, this will be too hard to implement. There isn't another agriculture program that doesn't have an income payment limitation of some type associated with it, except this one. When, out of every dollar spent on crop insurance, the average, hard-working American is paying 62 percent of it, it is not too much to ask those who are on the upper income stream in the agricultural community to participate a little bit more in helping pay for that subsidy by taking a reduced subsidy. So all we are doing is taking 15 percent of it.

Under this agriculture bill that is on the floor, there are three ways to ensure profit, and every one of them the American taxpayer who is not a farmer is paying for. There is no other business in this country where they are

guaranteed that profit and revenue will be there through an insurance policy that is paid for by the rest of us.

The GAO report said we should actually limit it to $40,000 and we will save $5 billion over the next 10 years. This amendment will only save $1 billion over the next 10 years. But the way we get rid of $1 trillion deficits is to ask everybody to share a little bit. All this amendment is doing is asking the most well-off farmers—the ones we have been subsidizing for years; the ones who are taking hundreds of thousands of dollars every year from the American taxpayers—to pay 15 percent more on their crop insurance so the average individual in this country isn't taking off their table to subsidize somebody who is making three-quarters of a million dollars a year.

The third amendment is an amendment to end conservation payments to millionaires. Almost every other program we have in terms of our farm programs has some limitations on it, but the Department of Agriculture has an exception where they can exclude this limitation. All this amendment would do is say to somebody who has an adjusted gross income of $1 million a year: Wouldn't that money be better spent somewhere else in the farm conservation area, No. 1; and No. 2, if it is in the best interests of the farm or production of agricultural acreage, and somebody has that kind of income, isn't it in their best interests to do these things?

It is a very simple amendment that says: If you are making an adjusted gross income of $1 million or more a year, then we are going to put some limitations on how much money we spend on your property and then go spend it on other properties where we might, in fact, have more effective resource conservation.

The final amendment I have to the bill has nothing to do with the agricultural bill but it has everything to do with the problems in this country. In February of this year, the U.S. Treasury wrote a check to the Democratic National Convention and the Republican National Convention for $18.4 million each. When the Presidential checkoff system was created, the politicians in Washington wired it so that we thought we were giving money to a Presidential campaign when, in fact, they took a percentage of it for both parties. We don't have $18.4 million to spend on a Republican convention or a Democratic convention. The nominees of both parties are known. So what we have done, besides spending $100 million in security for both of those events—$50 million apiece—is we sent $18 million to the heads of both parties to spend any way they want to spend it. What is wrong with that? That $18.4 million we borrowed from the Chinese. So we are borrowing money from the Chinese to fund a hallelujah party in both Tampa and Charlotte this year, each one of them getting $18.4 million. It is time that kind of nonsense stop.

This amendment is going to require 60 votes. I don't know why they put it at 60 votes; maybe so a lot of people can vote for it but it still won't pass. But here is a test vote on whether the Senate gets the problems this country faces. If somebody votes against this amendment, what it says is they believe politics is above principle, that careerism trumps character, and that they can pull the wool over the eyes of the vast portion of American citizens. What could we do with $18.4 million times two? Well, there are tons we could do. The first thing is we could quit paying interest to the Chinese for it. The second thing is who could we help in terms of their health care or their housing? How many HIV patients who are waiting on ADAP who can't get the treatment they need could we help with $18.4 million?

The point is this amendment is probably going to get defeated, but I want my colleagues to look in that realm of the universe in America where all the politicians reacted with disdain over the GSA conferences spending $880,000 in what was said to be a foolish way. If they made any comment about the excesses of governmental agencies on conferences and parties, how can they not apply the same standard to their own political party?

My hope is that America will wake up. I am in the twilight years of my life. I have seen vast changes in our country, both good and bad, but we have maxed out the credit card in our country. We can't get another credit card without severe pain. We are trying to not do the right thing in the Congress of the United States. We are trying to kick the can down the road. We are trying to not make the hard decisions. And everyone who comes and lobbies says: Yes, I agree there is a problem, but please don't take anything away from me.

The answer is leadership that says we all have to sacrifice to get our country out of the depths of the problems we are facing today. This will be a great key vote on whether the Senators understand priorities and the depth of the problems we are in.

There is no way we should ever again send taxpayer funds to the Democratic Party or the Republican Party for a convention, and this amendment would eliminate that in the future.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. 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. PRYOR. Mr. President, I know we are in Republican time. I would like to use some of the Republican time to talk about an important issue in the farm bill, which is catfish.

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

Mr. PRYOR. Mr. President, thank you for acknowledging me. I will be brief. I know we have other colleagues on the way, so I will be brief and I will yield when they get here and they are squared away.

CATFISH INSPECTION

Mr. President, let me just talk for a few minutes about catfish and something that I think is very important; that is, that catfish be inspected. This may sound like a no-brainer, something that is simple. We certainly would inspect and anticipate that all catfish that are raised in the United States would be inspected and follow all the USDA and other requirements—and it is. That is one of the good things, that we know our food supply is safe and wholesome and it is ready for consumption by Americans.

However, that is not the case for catfish that is imported from Asia. By the way, I think people in my State and other catfish-producing States would dispute whether this is actually catfish in the first place. It is actually a variety of fish that is native to Asia, and it is grown in places such as Vietnam. I am certainly for trade and for fair trade and not for protectionism. But we need to make sure fish that is coming in from overseas—we need to make sure it is properly labeled but also that it is properly inspected.

I think the way the bill is currently drafted is appropriate and proper. We should leave the language that Senator STABENOW and the Agriculture Committee have established. We should leave that language in the legislation as it currently is so the catfish will be inspected in the United States, and imported fish that is marketed as catfish will also be inspected by the same standards our domestic catfish are inspected under.

In 2011, the FDA examined about 3 percent of all seafood entries and performed laboratory analysis on less than 1 percent of these entries. We have to understand this Asian fish is raised in places that, quite honestly, run a higher risk of contamination based on the growing conditions, based on the overall sanctity of their environment compared to ours.

I think they present more health risks. I think it only makes sense once we know that one-third of these imports comes from southeastern Asia nations, places such as China and Vietnam where food safety standards are not as high as in the United States. Once we understand that, it makes sense that they would be afforded the same inspection regime that we would have here in the United States.

These foreign countries are currently flooding the U.S. market with potentially harmful products, and those products could be putting U.S. consumers at risk. There have been several news reports about some of the growing conditions over there and some of the possible harmful side effects to human health if humans consume those.

Here again, we have the safeguards in the farm bill to do the inspections as they should be done. The new inspection program would subject domestic catfish processors to daily USDA inspection, and imported catfish, much of which is raised in the unsanitary conditions I mentioned before—and it is also treated with antibiotics and other chemicals that are not deemed legal here in the United States, but that is the growing conditions they are in over there—it would require that they would receive more rigorous inspection than they are currently subject to.

Again, I do not see this as protectionist. I think this is truly to make sure that all of the food supply, whether it comes from overseas or is grown domestically, meets our U.S. standards, and our people, our American citizens, understand that when they purchase fish, they are going to get something that will not make them and their families sick when they consume it.

With that, I want to say that I appreciate all of my colleagues looking at this provision. I appreciate Senator STABENOW and her whole team and, in fact, all of the members of the Ag Committee who helped on this, and all of their staffs. They have been great on this issue. Catfish is a very small part of our agriculture picture in the United States, but it is an important part. People all over, especially all over the southern region of the United States, love to consume catfish. They need to understand when they buy catfish in the United States that it is going to be safe for them and for their families.

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

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

UTILITY MACT

Mr. LEE. Mr. President, I rise today to express my support for S.J. Res. 37, and to express my deep and profound disapproval of the Obama administration's handling of the utility MACT rule.

Let me first address what this debate is not about. This is not about a debate between one side that supports clean air and another side that does not. We all support and understand the importance of maintaining our pristine environment, maintaining the quality of human health in the ecosystem. My State, the great State of Utah, holds some of the greatest land resources in the country, some of the most beautiful landscapes. They are a source of pride for all Americans, and especially for all Utahns. They provide a significant economic benefit for my State in the form of tourism dollars.

I would not support any legislation ever that would damage our environmental brand in Utah or that would harm our environment. What this debate does expose is this administration's vigorous, unfettered attempts to severely limit the use of coal technology and a complete and utter disregard for the economic benefits of this industry, and the economic effects of this kind of overly aggressive regulation.

If implemented fully, the utility MACT rule would give utilities nationwide 3 short years to fully complete very costly upgrades to their plants. Many industry experts believe that these standards are nearly impossible to meet in that timeframe. Utilities will need closer to 5 or 6 years to make the necessary upgrades required by this regulatory scheme.

Those who are unable to comply will have no choice but to shut down unless or until they can meet those standards. This inevitably, with absolute certainty, will result in sharp spikes to energy costs, increased power bills for all Americans, affecting the most vulnerable among us the most severely.

Higher energy costs will, in turn, have a direct impact on the family budget. The more we as Americans spend on higher energy costs, the less we have available for savings, for education, and for other priorities. Although the President campaigns around the country by trying to convince Americans that he knows how to create jobs, this rule alone has been estimated by some industry experts as likely to kill 180,000 to 215,000 jobs by 2015.

So one has to wonder why it is this administration is nonetheless imposing rules it knows cannot be met, and that if they must be met, will kill this many jobs and hurt this many Americans. Why are they ignoring the obvious economic consequences of shutting down an industry that produces about half of all of the electricity we use in the United States of America today?

It does not make any sense. We can have sensible regulations that keep our air and our water and other aspects of our environment clean. We need that. We want that as Americans. We can also have a balanced approach that considers the economic costs of new rules and restrictions on small businesses and on consumers. That is what we need.

Utility MACT is an example of a regulation that does neither. It accomplishes none of these interests. I strongly urge my colleagues to support S.J. Res. 37. I stand with a growing bipartisan group of Senators, private sector unions, business interests that believe we can do better as Americans than imposing those kinds of regulations on the American people, and who also believe it is vitally important that when we do put these kinds of regulations on the American people we first have the kind of robust debate and discussion Americans have came to expect from their political institutions.

Two separate provisions of the Constitution, article I, section 1, and article I, section 7, clearly place the legislative process, the power to make rules that carry the force of generally applicable binding Federal law, in the hands of Congress, not in an executive branch agency.

The American people know this. They understand it. They expect it. They rely on it. Because they know if we pass laws the people do not like, that the people cannot accept, that kill jobs, that hurt those most vulnerable among us, that we can be held politically accountable come election time, every 2 years in the case of Members of the House, every 6 years in the case of Members of this body.

When we circumvent that process, when we allow the lawmaking process to be carried out entirely within an executive branch agency consisting of people who, while perfectly well intentioned and well educated, do not stand accountable to the people, we insulate the lawmakers from those governed by those same laws.

This is exactly why we need to exercise our authority under the Congressional Review Act by passing these resolutions of disapproval from time to time. But it is all the more reason why we need more lasting, significant reform, reform that can be had through the REINS Act proposal. This is a proposal that has already passed through the House favorably and needs to be passed in this body. It is a bill that would require for any new regulation promulgated that at the administrative level, any new regulation which qualifies as a major rule because it costs American consumers and small business interests, individuals, families, and all others in America more than $100 million in a year, it would take effect if and only if it were first passed into law in the House and in the Senate and signed into law by the President.

This is how our lawmaking process is supposed to operate. This is a system that our Founding Fathers carefully put in place, assuring that those who make the laws and thereby have the capacity to affect the rights of individual Americans can and will be held accountable to the people for the very laws they pass.

I tried to get the REINS Act up for consideration in connection with the Ag bill. We were not successful in doing that. Apparently some in this body, some in control of this body, were unwilling to have a vote on the REINS Act proposal as an amendment to the Ag bill. Sooner or later we need to have a vote on the REINS Act. We need to have this debate and discussion, to assure that the laws that are passed in this country are passed by men and women chosen by the people, accountable to the people, that we may yet still have that guarantee in our country, a guarantee of government of the people, by the people, and for the people.

I 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. 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.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 3240, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3240) to reauthorize the agriculture programs through 2017, and for other purposes.

Pending:

Reid (for Stabenow/Roberts) amendment No. 2389, of a perfecting nature.

Reid amendment No. 2390 (to amendment No. 2389), to change the enactment date.

Reid motion to recommit the bill to the Committee on Agriculture, Nutrition, and Forestry, with instructions, Reid amendment No. 2391, of a perfecting nature.

Reid amendment No. 2406 (to (the instructions) amendment No. 2391), to eliminate certain working lands conservation programs.

Reid amendment No. 2407 (to amendment No. 2406), to convert all mandatory spending to discretionary spending subject to annual appropriations.

The PRESIDING OFFICER. Under the previous order, the motion to recommit and amendment No. 2390 are withdrawn and a Stabenow-Roberts amendment No. 2389 is agreed to.

The Senator from Michigan.

AMENDMENT NO. 2440

Ms. STABENOW. Mr. President, I ask unanimous consent that we have 2 minutes of debate equally divided prior to the vote on the first Akaka amendment, No. 2440.

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

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise today to speak in favor of amendment No. 2440 to the farm bill. This amendment would improve implementation of an existing program at USDA which provides loans to purchasers of highly fractionated Indian lands.

One unfortunate legacy of policies of the late 1800s is that many Indian lands are highly fractionated. This means that one parcel of land might have hundreds or even thousands of owners. Highly fractionated parcels make putting these Indian lands to viable use virtually impossible. This goes against any well-established Federal Indian policies encouraging the productive use of Indian lands.

As chair of the Committee on Indian Affairs, I have worked with the USDA and stakeholders to craft this amendment to improve agricultural land use for tribal governments and individual Indians. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Kansas.

Mr. ROBERTS. This is a technical amendment. I rise in support of it, and I yield back the remainder of my time.

Mr. AKAKA. Mr. President, I call up my amendment and speak in favor of amendment No. 2396, a bipartisan amendment Senator THUNE and I are offering to the farm bill.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, if I might take a moment, I believe we want to first dispose of the Akaka amendment No. 2440. Our ranking member has indicated no opposition, so at this point I would ask that we proceed, unless there is a reason not to do so.

On behalf of Senator AKAKA, I call up amendment No. 2440 and ask that we proceed with a voice vote.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2440.

The amendment is as follows:

(Purpose: To improve a provision relating to loans to purchasers of highly fractionated land)

Strike section 5102 and insert the following:

SEC. 5102. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

(a) IN GENERAL.—The first sentence of Public Law 91–229 (25 U.S.C. 488) is amended—

(1) in subsection (a), in the first sentence, by striking ''loans from'' and all that follows through ''1929)'' and inserting ''direct loans in a manner consistent with direct loans pursuant to chapter 4 of subtitle A of the Consolidated Farm and Rural Development Act'';

(2) in subsection (b)(1)—

(A) by striking ''pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))''; and

(B) by inserting ''or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land under that section'' before the period at the end; and

(3) by adding at the end the following:

''(c) CONSULTATION REQUIRED.—In determining regulations and procedures to define eligible purchasers of highly fractionated land under this section, the Secretary of Agriculture shall consult with the Secretary of the Interior.''.

(b) RELATIONSHIP TO OTHER AMENDMENT.—Section 6002 is amended by striking subsection (bb).

Ms. STABENOW. Mr. President, I ask unanimous consent that we proceed with a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2440) was agreed to.

The Senator from Hawaii.

AMENDMENT NO. 2396

Mr. AKAKA. I rise today to speak in favor of amendment No. 2396, a bipartisan amendment Senator THUNE and I are offering to the farm bill. This amendment would make permanent the Office of Tribal Relations at the USDA.

This office was created to ensure that the USDA upholds Federal Indian policy and maintains its government-to-government relationship with tribes. Permanently establishing this office will ensure that tribal governments can develop their programs in parity with their neighbors in rural America. It will ensure that the USDA consults with tribal governments and that tribes can participate in programs related to agricultural, infrastructure, and economic development opportunities.

I encourage all my colleagues to support this bipartisan amendment to the farm bill.

I thank the Chair, I yield back the remainder of my time, and I call up amendment No. 2396.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2396.

Mr. AKAKA. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish the Office of Tribal Relations in the Office of the Secretary of Agriculture)

On page 1009, after line 11, add the following:

SEC. 12207. OFFICE OF TRIBAL RELATIONS.

(a) IN GENERAL.—Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3125a note; Public Law 103–354) the following:

''SEC. 309. OFFICE OF TRIBAL RELATIONS.

''The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations.''.

(b) CONFORMING AMENDMENTS.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 12201(b)) is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) the authority of the Secretary to establish in the Office of the Secretary the Office of Tribal Relations in accordance with section 309.''.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. ROBERTS. Mr. President, this amendment makes permanent the current Office of Tribal Relations with the Department of Agriculture, and that is very important in terms of outreach for Native American farmers and ranchers.

We have no objection, and I yield back the remainder of my time.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2396) was agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 2192

Ms. AYOTTE. Mr. President, I call up Ayotte amendment No. 2192.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New Hampshire proposes an amendment numbered 2192.

(The amendment is printed in the RECORD of Thursday, June 7, 2012 under ''Text of Amendments.'')

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided.

The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, my amendment seeks to reform the value-added grant program. The USDA has awarded $240 million in grants over the lifetime of this program, but the USDA has not been transparent and has failed to adequately account for the grants and how they are awarded.

The last assessment of this program was in 2006 and indicated that more than 40 percent of the grant recipients went out of business just 3 years after having completed their grant project. My amendment would allow the program to go forward, but it would reform this program to be more accountable to taxpayers.

The program has awarded 62 grants totaling $12.1 million to ethanol facilities. It does eliminate grants to ethanol facilities. We should not be wasting further taxpayer dollars to give to ethanol producers when we have already given them so many taxpayer opportunities here.

At least 105 wine industry groups and wineries have received $10.5 million.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. AYOTTE. Mr. President, I would just say this is a good amendment for taxpayers to reform this program and make it accountable.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, unfortunately, I would urge my colleagues to vote no on this amendment. It cuts in half funding for a program that helps food entrepreneurs—small businesses and farmers who want to create new kinds of products and to commercialize them and get them to the marketplace.

This is really what we are trying to do—to leverage more dollars in this bill to support not only the farmer on the farm but also to move into commercialization and to create new food products and jobs. In fact, we have created hundreds of jobs at wineries. We have done this all across the country—created jobs by helping small businesses and entrepreneurs to take a great idea and to move it to commercialization and add value to their product.

I would strongly urge a ''no'' vote, and I would ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time has expired.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—38

Alexander	Enzi	Murkowski
Ayotte	Graham	Paul
Barrasso	Hatch	Portman
Boozman	Heller	Risch
Brown (MA)	Hutchison	Rubio
Burr	Inhofe	Sessions
Chambliss	Isakson	Shelby
Coats	Johnson (WI)	Snowe
Coburn	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	

NAYS—61

Akaka	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hoeven	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johanns	Reid
Blunt	Johnson (SD)	Roberts
Boxer	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NOT VOTING—1

Kirk

The amendment (No. 2192) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, for the benefit of all Senators—if I could have the attention of the Senate—we have before us why we are here. This was very difficult, to get to the point we are now, where we have a very important bill. We do these every 5 years. Senators Stabenow and Roberts have worked very hard to get us to this point. I congratulate them both, but we have a long way to go.

First of all, everyone understand all the next votes will be 10-minute votes. That means at the end of 15 minutes we are going to cut off the vote. It doesn't matter if a Democrat is missing or Republican is missing; it does not matter. If it is a close vote, we always are careful with that, we understand, but let's understand when the time is up, we are going to turn in the vote.

Second, I have instructed all of the presiders, we are going to have 1-minute speeches—1 minute for Democrats, 1 minute for Republicans. When the time is up, the time is going to end so everyone will be treated the same. We have 73 amendments we have to work through. We have a lot to do the rest of this week, but this is important. No. 1, we are going to keep the vote. I have an important meeting at 4 o'clock. I have instructed my staff, if I am not here I will not be counted. That is what we have to do. If you have important meetings, you might have to miss a vote or two.

Second, I repeat, we will have 2 minutes equally divided before each vote, and it will be 2 minutes.

AMENDMENT NO. 2429

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I call up amendment No. 2429.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for Mr. BAUCUS, for himself and Mr. TESTER, proposes an amendment numbered 2429.

Mr. TESTER. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the livestock forage disaster program)

On page 128, between lines 16 and 17, insert the following:

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

Mr. TESTER. Mr. President, I urge my colleagues to support the Baucus-Tester amendment No. 2429. The Baucus-Tester amendment fixes a problem in the livestock forage program to make sure that ranchers who suffer losses in their herds because of drought are able to get the help they need. If you are in grass-based agriculture, folks, for those ranchers the grass is the heartbeat of your operation. If you do not have it, you cannot survive. It was critical this last year when record droughts devastated the Southwest. Wild fires burned more than 2 million acres in Texas.

This program has moved into title I of the farm bill. This amendment fixes a problem we have seen in one of those programs. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Michigan.

Ms. STABENOW. Mr. President, can we proceed with a voice vote on this amendment?

Mr. ROBERTS. Mr. President, I know of no objection at this point. I yield the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 2429.

The amendment was agreed to.

AMENDMENT NO. 2190, AS MODIFIED

Ms. STABENOW. Mr. President, it is my understanding we are ready with the amendment of Senator SNOWE. I ask she be the next amendment in order.

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

The Senator from Maine.

Ms. SNOWE. I call up amendment No. 2190.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows.

The Senator from Maine (Ms. SNOWE), for herself and Mrs. GILLIBRAND, proposes an amendment numbered 2190.

Ms. SNOWE. I ask unanimous consent that amendment 2190 be modified with the changes I am sending to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows.

(Purpose: To require Federal milk marketing order reform)

At the end of part III of subtitle D of title I, insert the following:

PART IV—FEDERAL MILK MARKETING ORDER REFORM

SEC. 1481. FEDERAL MILK MARKETING ORDERS.

(a) AMENDMENTS.—The Secretary shall provide an analysis on the effects of amending each Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (in this part referred to as a ''milk marketing order''), as required by this section.

(b) USE OF END-PRODUCT PRICE FORMULAS.—In carrying out subsection (a), the Secretary shall—

(1) consider replacing the use of end-product price formulas with other pricing alternatives; and

(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the Secretary on the impact of the action considered under paragraph (1).

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided.

The Senator from Maine.

Ms. SNOWE. Mr. President, I rise in strong support of this amendment I have offered along with Senator GILLIBRAND of New York on a bipartisan basis. I thank the Chair and ranking member for working with us on the modifications in support of this amendment.

The underlying bill establishes a margin insurance program that helps very large dairy producers but provides little assistance to small family-owned dairy producers who have exponentially fewer cows and do not produce the surplus amounts of milk. Without this amendment, these small dairy farmers face possible extinction due, in part, to the excessive price volatility. The prices in Europe influence the price our farmers right here at home receive from the government.

This amendment will help resolve this inequity by requiring the Department of Agriculture to provide an analysis on the effects of amending each Federal milk marketing order and deciding how best to update the system of Federal orders, which is now 12 years old. I hope we will adopt this amendment.

The PRESIDING OFFICER. Who yields time?

Ms. STABENOW. Mr. President, I support this amendment and yield the remainder of our time. It is my understanding we can proceed with a voice vote on this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 2190, as modified.

Those in favor, say aye.

(Chorus of ayes.)

All opposed, no.

(Chorus of nays.)

The PRESIDING OFFICER. The nays appear to have it.

All those in favor, say aye.

(Chorus of ayes.)

All those opposed, no.

(Chorus of nays.)

The PRESIDING OFFICER. The nays appear to have it.

Ms. STABENOW. I ask for a record rollcall.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 33, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—66

Akaka	Grassley	Murkowski
Ayotte	Hagan	Murray
Baucus	Harkin	Nelson (FL)
Begich	Hatch	Portman
Bingaman	Inouye	Pryor
Blumenthal	Kerry	Reed
Brown (MA)	Klobuchar	Reid
Brown (OH)	Landrieu	Roberts
Cantwell	Lautenberg	Rockefeller
Cardin	Leahy	Rubio
Carper	Lee	Sanders
Casey	Levin	Schumer
Coburn	Lieberman	Sessions
Cochran	Manchin	Shaheen
Collins	McCain	Shelby
Conrad	McCaskill	Snowe
Coons	McConnell	Stabenow
Corker	Menendez	Tester
Franken	Merkley	
Gillibrand	Mikulski	
Graham	Moran	
Toomey	Vitter	Webb
Udall (NM)	Warner	Whitehouse

NAYS—33

Alexander	DeMint	Johnson (WI)
Barrasso	Durbin	Kohl
Bennet	Enzi	Kyl
Blunt	Feinstein	Lugar
Boozman	Heller	Nelson (NE)
Boxer	Hoeven	Paul
Burr	Hutchison	Risch
Chambliss	Inhofe	Thune
Coats	Isakson	Udall (CO)
Cornyn	Johanns	Wicker
Crapo	Johnson (SD)	Wyden

NOT VOTING—1

Kirk

The amendment (No. 2190), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2364 WITHDRAWN

Mr. BINGAMAN. Mr. President, let me speak for a moment with regard to amendment No. 2364 that Senator HUTCHISON and I had intended to offer. We have been in consultation with the managers of the legislation. They have agreed to some changes in the report language that accommodate our concern.

Our concern is about water conservation and ensuring that water conservation, particularly in the arid West but in any part of the country where there are underground aquifers and wherever there is depletion of water supplies that is going to make farming and agricultural activities impossible in the future. The managers have agreed to some changes in the report language that accommodate our concerns. They have agreed to a colloquy that accommodates our concerns. Accordingly, we will not proceed with the amendment.

Before I withdraw the amendment, could I ask Senator HUTCHISON to make any comments she would like to make.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I appreciate the sponsors of the bill working with us. Just as an example, the Ogallala Aquifer has gone down 100 feet since irrigation has been allowed from this water source. It is a source for cities such as the city of San Antonio and other cities around New Mexico and Texas. That is just one example. It is happening all over our country. So conservation has to be a part of keeping our farms and ranches alive, and that is the purpose of the amendment.

We appreciate the managers working with us and hope we can go forward and highlight the importance of conservation to keep our water resources for our farmers and ranchers.

WATER CONSERVATION IN MULTI-STATE AQUIFERS

Mr. BINGAMAN. Mr. President, I rise to discuss the Ogallala Aquifer—also known the High Plains Aquifer—region, an area that is impacted on a daily basis by groundwater pumping for agriculture. In fact, that region leads the Nation in the amount of groundwater pumped for irrigation purposes, with some 17 billion gallons per day being withdrawn for irrigation. I

have for many years been concerned about the rapid groundwater depletion occurring in the southern portion of that aquifer. There are parts of the Ogallala underlying New Mexico that have seen a decline in water levels of more than 150 feet since groundwater pumping for agriculture first started.

Mrs. HUTCHISON. Mr. President, I share the concern of the Senator from New Mexico. A large area in western Texas overlies the Ogallala Aquifer as well. We, too, have seen alarmingly high levels of groundwater depletion. Water is a precious resource in our part of the country, and the Ogallala is a major source of water for agriculture, our communities, and industrial development.

Mr. BINGAMAN. I understand that the bill before the Senate will make resources available to address the problem of the declining groundwater resources in the Ogallala. It would be helpful to my colleague from Texas and me if the chairwoman and ranking member of the Agriculture Committee could confirm our understanding on certain aspects of the bill. First, am I correct that substantial funds under the Environmental Quality Incentive Program, EQIP, will continue to be made available for practices that result in the conservation of groundwater, including the use of more efficient irrigation systems and conversion to less water-intensive crops or dryland farming, which may, within the discretion of the Secretary of Agriculture, include long-term grassland rotation?

Ms. STABENOW. Yes, the Senator is correct.

Mrs. HUTCHISON. I understand that the Regional Conservation Partnership Program is intended to address water quantity as well as water quality issues, so funding under the program could be directed to address situations where high historic levels of groundwater depletion have occurred due to agricultural use. Is that correct?

Mr. ROBERTS. Yes, that is correct.

Mr. BINGAMAN. With respect to the designation of critical conservation areas under section 2401 of the bill, I would encourage USDA to look to areas where they already have initiatives in place addressing the area. I understand that any funding under this program would be in addition to funding that would otherwise be available to the region under any other provision of the bill. Finally, it is my expectation and understanding that in determining whether an area would be designated as a critical conservation area and in determining the level of funding to be directed to the area, the Secretary would carefully consider areas where continued agricultural activities are threatened by groundwater depletion.

Ms. STABENOW. The Senator is correct in his understanding.

Mr. ROBERTS. I agree.

Mrs. HUTCHISON. I thank the chairwoman and ranking member.

Mr. BINGAMAN. I thank them as well.

Mr. President, in light of the comments we have just made, we will not call up the amendment.

The managers can go to the next amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, if I may take a moment to thank Senator BINGAMAN and Senator HUTCHISON. Both New Mexico and Texas have strong and passionate advocates. They are lucky to have them, and we are looking forward to working with them to make sure the issues they have raised are addressed.

Also, just for those following along in order, I would just indicate that Senator COLLINS, in light of the passage of the Snowe amendment, will not be proceeding with her amendment, just for the information of the Senate.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 2167

Mr. GRASSLEY. Mr. President, I call up my marketing loan amendment, amendment No. 2167.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 2167.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide payment limitations for marketing loan gains and loan deficiency payments)

On page 140, strike line 1 and insert the following:

(b) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (d) and inserting the following:

''(d) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of marketing loan gains and loan deficiency payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle B of the Agriculture Reform, Food, and Jobs Act of 2012 (or a successor provision) for—

''(1) peanuts may not exceed $75,000; and

''(2) 1 or more other covered commodities may not exceed $75,000.''.

(c) CONFORMING AMENDMENTS.—

On page 143, line 9, strike ''(c)'' and insert ''(d)''.

Mr. GRASSLEY. Mr. President, I tried to get this amendment adopted in the 2008 farm bill. It got 57 votes, but it was under a 60-vote rule, so obviously it did not get adopted.

This amendment would cap payments that one farmer can get on marketing loans and loan deficiency payments. We cannot have 70 percent of the farm payments going to 10 percent of the largest farmers.

I think this amendment will help add integrity to the program. We should have caps on title I commodity programs. This will add defensibility to this bill, along with the payment limit reforms we were able to put in in the committee before the bill was voted out.

Opponents will argue—I am sure you will hear this argument—that this would increase forfeitures of crop. But I believe they are overstating that issue, especially given current prices. And even if a farmer did forfeit crop——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. Well, this is a commonsense amendment. I hope you will vote for it.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise in opposition to this amendment. Limiting MLGs and LDPs is disruptive to orderly marketing because USDA lacks the ability in real time to track eligibility. Consequently, a producer may exceed his loan limit under this amendment and USDA have no idea he has exceeded his loan limit, so he is going to have to come back later on and obviously repay that in very difficult times.

Most farming operations secure financing for annual production costs as well as incur long-term debt for equipment and land. Introducing limits on marketing loan benefits makes this financing more difficult to obtain and more difficult to administer from a farmer's standpoint as well as a banking standpoint.

I urge opposition to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. STABENOW. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 24, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—75

Akaka	Cantwell	Enzi
Alexander	Cardin	Feinstein
Ayotte	Carper	Franken
Barrasso	Casey	Gillibrand
Baucus	Coats	Grassley
Begich	Coburn	Harkin
Bennet	Collins	Hatch
Bingaman	Coons	Heller
Blumenthal	Corker	Inouye
Boxer	Crapo	Johanns
Brown (MA)	DeMint	Johnson (SD)
Brown (OH)	Durbin	Kerry

Klobuchar
Kohl
Kyl
Lautenberg
Lee
Levin
Lieberman
Lugar
Manchin
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Paul
Portman
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Schumer
Shaheen
Snowe
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Webb
Whitehouse
Wyden

NAYS—24

Blunt
Boozman
Burr
Chambliss
Cochran
Conrad
Cornyn
Graham
Hagan
Hoeven
Hutchison
Inhofe
Isakson
Johnson (WI)
Landrieu
Leahy
Moran
Pryor
Sanders
Sessions
Shelby
Vitter
Warner
Wicker

NOT VOTING—1

Kirk

The amendment (No. 2167) was agreed to.

AMENDMENT NO. 2445

Mr. BROWN of Ohio. Mr. President, I call up my amendment No. 2445.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 2445.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strengthen rural communities and foster the next generation of farmers and ranchers)

On page 574, between lines 11 and 12, insert the following:

''(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection $12,500,000 for each of fiscal years 2014 through 2017, to remain available until expended.

On page 606, between lines 4 and 5, insert the following:

''(E) MANDATORY FUNDING FOR FISCAL YEARS 2013 THROUGH 2017.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph $3,750,000 for each of fiscal years 2014 through 2017, to remain available until expended.

On page 782, between lines 14 and 15 and insert the following:

SEC. 6203. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, beginning in fiscal year 2014, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $50,000,000, to remain available until expended.

On page 832, line 6, strike ''$50,000,000 for fiscal year 2013'' and insert ''$17,000,000 for each of fiscal years 2013 through 2017''.

The PRESIDING OFFICER. There is 2 minutes of debate, equally divided.

Mr. BROWN of Ohio. Mr. President, Congress has provided an average of $400 million for farm bills in the rural development title. The bill we are considering includes no funding at all. My fiscally responsible amendment funds rural business development programs, a portion of the backlog of wastewater infrastructure projects, and will help bring a new generation of farmers into agriculture.

As a member of the Agriculture Committee, I know how important it is that this amendment maintain our committee's commitment to save at least $23 billion in the farm bill. I yield the rest of my time to the chairwoman, Senator STABENOW.

Ms. STABENOW. Mr. President, let me add my strong support for the amendment. We have reformed this title on rural development. We have eliminated 16 different authorizations, tightened it up. The amendment stays within our parameters of $23 billion in deficit reduction. In effect, this benefits every small town and community across America that counts on rural development. I would strongly support this amendment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I oppose this amendment. I do so reluctantly with my colleague on the committee. But the committee bill contains no mandatory funding in the rural development title. This amendment would take savings achieved in the bill from 23.4—used to be 26.3—now we are down to 23.4. That would take it down to 23.2 and redirect $150 million mandatory spending into a few rural development programs.

Nothing against them, but if we are going to achieve savings in this bill, we have to hold the line. I reluctantly oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—55

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carper
Casey
Collins
Conrad
Coons
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Heller
Inouye
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Manchin
Menendez
Merkley
Mikulski
Murray
Nelson (NE)
Nelson (FL)
Pryor
Reed
Reid
Rockefeller
Sanders
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wyden

NAYS—44

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
DeMint
Enzi
Graham
Grassley
Hatch
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kyl
Lee
Lugar
McCain
McCaskill
McConnell
Moran
Murkowski
Paul
Portman
Risch
Roberts
Rubio
Sessions
Shelby
Snowe
Thune
Toomey
Vitter
Wicker

NOT VOTING—1

Kirk

The amendment (No. 2445) was agreed to.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 2174

Mr. SESSIONS. Mr. President, I call up amendment No. 2174.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2174.

The amendment is as follows:

(Purpose: To limit categorical eligibility for the supplemental nutrition assistance program to those who receive cash assistance)

On page 312, between lines 8 and 9, insert the following:

SEC. 4002. LIMITATION ON CATEGORICAL ELIGIBILITY.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the second sentence of subsection (a), by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance''; and

(2) in subsection (j), by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

Mr. SESSIONS. Mr. President, food stamp spending has quadrupled—gone up four times—since 2001, increasing twice the rate that the other major poverty program, Medicaid, has increased. It is now the second largest Federal welfare program. An individual on food stamps, with all other government programs they may be eligible for, can receive as much as $25,000 a year.

Under this bill food stamps will average $80 billion a year for 10 years; whereas, the agriculture farm programs will average $20 billion a year. It is by far the dominant factor in this entire piece of legislation.

Amendment No. 2174 deals with the problem through a system known as categorical eligibility. Forty-three States now provide benefits to individuals whose income exceeds the statutory limit—incomes and assets. Only 11 States did that in 2007.

I ask that we be able to fix this problem, and I urge my colleagues to vote for it.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I strongly urge a ''no'' vote. We actually rejected this amendment last fall. I ask that we do it again.

It is true that food assistance has gone up as the economy has had a rough time. As unemployment goes up, food costs go up. Unemployment is coming down, and in this bill we reflect savings. As the economy is getting better, food help goes down. It is no different than crop insurance helping the farmer in a disaster. This helps families in a disaster.

Unfortunately, this amendment would completely change the structure of food help. It would dramatically affect children and families. For example, it would affect someone's ability to get to work because the value of their car would somehow be reflected in a way that would require them to possibly give up their car when they are trying to get to work in order to be able to put food on the table for their families. It makes no sense.

This bill has commonsense reforms to make sure every dollar goes where it should. I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SESSIONS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mrs. SHAHEEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—43

Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hatch	Paul
Blunt	Hoeven	Portman
Boozman	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McCaskill	
Enzi	McConnell	

NAYS—56

Akaka	Carper	Heller
Baucus	Casey	Inouye
Begich	Collins	Johnson (SD)
Bennet	Conrad	Kerry
Bingaman	Coons	Klobuchar
Blumenthal	Durbin	Kohl
Boxer	Feinstein	Landrieu
Brown (MA)	Franken	Lautenberg
Brown (OH)	Gillibrand	Leahy
Cantwell	Hagan	Levin
Cardin	Harkin	Lieberman
Manchin	Reed	Tester
Menendez	Reid	Udall (CO)
Merkley	Rockefeller	Udall (NM)
Mikulski	Sanders	Warner
Murray	Schumer	Webb
Nelson (NE)	Shaheen	Whitehouse
Nelson (FL)	Snowe	Wyden
Pryor	Stabenow	

NOT VOTING—1

Kirk

The amendment (No. 2174) was rejected.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 2370

Ms. CANTWELL. I call up amendment No. 2370.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 2370.

Ms. CANTWELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To encourage the purchase of pulse crop products for school meals programs)

On page 361, between lines 8 and 9, insert the following:

SEC. 4208. PULSE CROP PRODUCTS.

(a) PURPOSE.—The purpose of this section is to encourage greater awareness and interest in the number and variety of pulse crop products available to schoolchildren, as recommended by the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE PULSE CROP.—The term ''eligible pulse crop'' means dry beans, dry peas, lentils, and chickpeas.

(2) PULSE CROP PRODUCT.—The term ''pulse crop product'' means a food product derived in whole or in part from an eligible pulse crop.

(c) PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.—In addition to the commodities delivered under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755), the Secretary shall purchase eligible pulse crops and pulse crop products for use in—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(d) EVALUATION.—Not later than September 30, 2016, the Secretary shall conduct an evaluation of the activities conducted under subsection (c), including—

(1) an evaluation of whether children participating in the school lunch and breakfast programs described in subsection (c) increased overall consumption of eligible pulse crops as a result of the activities;

(2) an evaluation of which eligible pulse crops and pulse crop products are most acceptable for use in the school lunch and breakfast programs;

(3) any recommendations of the Secretary regarding the integration of the use of pulse crop products in carrying out the school lunch and breakfast programs;

(4) an evaluation of any change in the nutrient composition in the school lunch and breakfast programs due to the activities; and

(5) an evaluation of any other outcomes determined to be appropriate by the Secretary.

(e) REPORT.—As soon as practicable after the completion of the evaluation under subsection (d), the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and the Workforce of the House of Representative a report describing the results of the evaluation.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

Ms. CANTWELL. Madam President, I rise in support of this amendment offered by my colleague, Senator MURRAY, and others, to include in the school lunch program a pilot program dealing with dry beans, peas, lentils, and chickpeas.

My amendment works to improve the nutritional value of school meals across America at a very economical price. With the level of obesity of children between 2 and 19, it is very important we have this program included.

I yield 30 seconds to my colleague from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank Senator CANTWELL, and I rise to speak in support of this amendment. I cosponsored the legislation.

This would provide that pulse crops—peas, beans, and lentils—are used in school lunch programs. It does not add additional cost. They are a high source of protein, very cost effective, and it is a growing—no pun intended—crop in our country.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I am supportive of this amendment.

I have been notified a record vote is being requested, so I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—58

Akaka	Crapo	Landrieu
Baucus	Durbin	Lautenberg
Begich	Feinstein	Leahy
Bennet	Franken	Levin
Bingaman	Gillibrand	Lieberman
Blumenthal	Hagan	Lugar
Boxer	Harkin	Manchin
Brown (OH)	Hoeven	Menendez
Cantwell	Inouye	Merkley
Cardin	Johanns	Mikulski
Carper	Johnson (SD)	Murray
Casey	Kerry	Nelson (NE)
Conrad	Klobuchar	Nelson (FL)
Coons	Kohl	Pryor

Reed
Reid
Risch
Roberts
Rockefeller
Sanders
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wyden

NAYS—41

Alexander
Ayotte
Barrasso
Blunt
Boozman
Brown (MA)
Burr
Chambliss
Coats
Coburn
Cochran
Collins
Corker
Cornyn
DeMint
Enzi
Graham
Grassley
Hatch
Heller
Hutchison
Inhofe
Isakson
Johnson (WI)
Kyl
Lee
McCain
McCaskill
McConnell
Moran
Murkowski
Paul
Portman
Rubio
Sessions
Shelby
Snowe
Thune
Toomey
Vitter
Wicker

NOT VOTING—1

Kirk

The amendment (No. 2370) was agreed to.

AMENDMENT NO. 2243

Mr. NELSON of Nebraska. Madam President, I rise to call up my amendment No. 2243.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. NELSON] proposes an amendment numbered 2243.

Mr. NELSON of Nebraska. I ask that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure that performance bonus payments are used by State agencies only to carry out the supplemental nutrition assistance program)

On page 335, between lines 8 and 9, insert the following:

SEC. 4011. PERFORMANCE BONUS PAYMENTS.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended by adding at the end the following:

''(5) USE OF PERFORMANCE BONUS PAYMENTS.—A State agency may use a performance bonus payment received under this subsection only to carry out the program established under this Act, including investments in—

''(A) technology;

''(B) improvements in administration and distribution; and

''(C) actions to prevent fraud, waste, and abuse.''.

Mr. NELSON of Nebraska. Madam President, I rise to call up this amendment addressing Federal performance payments that States receive to make sure Americans in tough times who need Supplemental Nutrition Assistance Program benefits receive them and those who don't do not get them.

It is a commonsense, good government amendment that builds on a 2002 bipartisan agreement between the States, the previous Bush administration, and Congress. In my view, Congress shouldn't eliminate incentives to improve efficiency in SNAP, as some are proposing. Congress should, though, better target these Federal performance bonus funds so States can use them only—and let me emphasize ''only''—to improve their SNAP.

My amendment ensures that the incentive payments go toward activities that improve efficiency, effectiveness, and the integrity of SNAP. These efforts have results. Since these incentives were put in place, the SNAP error rate—and overpayment and underpayment rates—has fallen nearly 43 percent.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NELSON of Nebraska. That is a good investment.

I urge the adoption of my amendment.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. ROBERTS. I yield back the remainder of our time.

Ms. STABENOW. Madam President, I believe a voice vote is OK.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2243) was agreed to.

AMENDMENT NO. 2172

Mr. SESSIONS. Madam President, I appreciate my good friend's amendment. I do not think it deals with the problem completely and appropriately. I have offered amendment No. 2172, which would end the bonus payments for increasing registration on the Food Stamp Program. States currently receive bonuses for increasing enrollment in the Food Stamp Program. This amendment would end that policy and would save a modest $480 million—if you call that modest—out of $800 billion being spent on this program over 10 years, according to the CBO.

One of the problems we have with the Food Stamp Program, if you just think about it, is that all the money comes from the Federal Government but all the administration comes from the States. They have no incentive to manage the program in a way to reduce waste, fraud, and abuse. It really helps their economy if more money comes in from out of State. For the Federal Government to have a program that rewards States on top of their natural incentives would be wrong.

I urge support of my amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. I ask for the yeas and nays and call up amendment No. 2172.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2172.

The amendment is as follows:

(Purpose: To end the State bonus payments for administering the supplemental nutrition assistance program)

On page 335, between lines 8 and 9, insert the following:

SEC. 4011. REPEAL OF STATE BONUS PAYMENTS.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

Mr. SESSIONS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Ms. STABENOW. Madam President, I strongly oppose this amendment. We are talking about improvements in managing errors, reducing errors in the nutrition program. The amendment of the Senator would eliminate the error-reduction bonuses that go to State governments.

We have seen a 43-percent drop in payment errors as a result of the program Senator NELSON has now strengthened with his amendment. In his amendment, he would ensure that all of the additional funds that go to States are used only to carry out improvements in SNAP, to lower the error rates. Those savings to taxpayers dwarf the costs of this incentive to States to improve their processes. It is working well.

In addition, in this bill we eliminate any lottery winners or students living at home with their parents from receiving assistance. We crack down further on trafficking in retail establishments.

I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 58, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—41

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
DeMint
Enzi
Graham
Grassley
Hatch
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kyl
Lee
Lugar
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

NAYS—58

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carper
Casey
Collins
Conrad
Coons
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Heller
Inouye
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Manchin
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Pryor
Reed
Reid
Rockefeller
Sanders
Schumer
Shaheen
Snowe
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wyden

NOT VOTING—1

Kirk

The amendment (No. 2172) was rejected.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 2238

Mr. CASEY. I call up my amendment No. 2238.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. CASEY] proposes an amendment numbered 2238.

Mr. CASEY. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require more frequent dairy reporting)

On page 110, line 7, strike ''no less'' and insert ''more''.

On page 110, line 22, strike ''no less'' and insert ''more''.

On page 112, after line 21, add the following:

(c) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study of the feasibility of establishing 2 classes of milk, a fluid class and a manufacturing class, to replace the 4–class system in effect on the date of enactment of this Act in administering Federal milk marketing orders.

(2) FEDERAL MILK MARKET ORDER REVIEW COMMISSION.—The Secretary may elect to use the Federal Milk Market Order Review Commission established under section 1509(a) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726), or documents of the Commission, to conduct all or part of the study.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study required under this subsection, including any recommendations.

Mr. CASEY. Madam President, I am calling up this amendment, which is very simple. It is about two things: First of all, it would increase the frequency of so-called dairy price reporting that goes on already. The Department of Agriculture does this reporting on a rather frequent basis. We are just going to suggest that we codify, or make law, what the USDA is already doing. So, first, it would increase the frequency of reporting from ''no less than once a month'' to ''more than once a month.'' So it just puts into law what is already in practice.

Secondly, this amendment would require the USDA to study—only to study—the feasibility of having two classes of milk as opposed to four. This would help clarify whether folks who want to do that—it requires that study. But, particularly, in the first part of the amendment, we need to make sure our farmers have as much information about pricing to help the farmers themselves, dairy buyers, and dairy suppliers.

I urge a ''yes'' vote on this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from Kansas.

Mr. ROBERTS. Thank you, Madam President. A recorded vote has been requested, so I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. CASEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—73

Akaka	Grassley	Nelson (NE)
Alexander	Hagan	Nelson (FL)
Ayotte	Harkin	Portman
Baucus	Heller	Pryor
Begich	Hutchison	Reed
Bennet	Inouye	Reid
Bingaman	Isakson	Risch
Blumenthal	Johanns	Roberts
Blunt	Johnson (SD)	Rockefeller
Boozman	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Chambliss	Levin	Toomey
Coats	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Manchin	Vitter
Coons	McCaskill	Warner
Corker	Menendez	Webb
Crapo	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murray	

NAYS—26

Barrasso	Feinstein	McConnell
Boxer	Graham	Moran
Brown (MA)	Hatch	Paul
Burr	Hoeven	Rubio
Coburn	Inhofe	Sessions
Cochran	Johnson (WI)	Shelby
Cornyn	Kyl	Thune
DeMint	Lee	Wicker
Enzi	McCain	

NOT VOTING—1

Kirk

The amendment (No. 2238) was agreed to.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2181

Mr. PAUL. Mr. President, I call up amendment No. 2181.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2181.

The amendment is as follows:

(Purpose: To establish an average adjusted gross income limitation of $250,000 for all payments and benefits under the Farm Bill)

Strike section 1605 and insert the following:

SEC. 1605. AVERAGE ADJUSTED GROSS INCOME LIMITATION.

Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended by striking subsection (b) and inserting the following:

''(b) LIMITATIONS.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any payment or other benefit under the Agriculture Reform, Food, and Jobs Act of 2012, or any amendment made by that Act, during a crop, fiscal, or program year, as appropriate, if the average adjusted gross income of the person or legal entity exceeds $250,000.''.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided.

The Senator from Kentucky.

Mr. PAUL. Mr. President, this amendment will limit all payments or all farm subsidies to persons with an adjusted gross income of less than $250,000.

My friends across the aisle are commonly saying: Why don't those of means pay more or receive less? This amendment would do precisely that.

Nine percent of farmers earn more than $250,000 worth of adjusted gross income. This would limit their payments. Currently, 9 percent of the farmers—who are the well-off farmers—are receiving nearly a third of the benefits.

A good question for the Senate might be: What do Scottie Pippen, Larry Flynt, and David Rockefeller have in common? The answer would be: that besides being very rich, they have all gotten farm subsidies in the past. I think this should change and that the wealthy should not be receiving farm subsidies. This amendment would get rid of this.

I yield back the remainder of my time and encourage Senators to support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I would urge a ''no'' vote on this amendment. The good news is, the people who were mentioned will no longer be able to get farm subsidies under this bill because of the reforms we have already put in place. We have already lowered the adjusted gross income. We have put a $50,000-per-person cap on payments, which is less than half than what farmers currently receive.

Let me say, this would cap across the board, including conservation, and conservation of land and water is critically important to us as a country.

I yield now the remainder of my time to my ranking member.

Mr. ROBERTS. It is not only commodity programs, I say to my chairwoman. This would also affect all of our conservation programs, crop insurance, rural development programs, research, dairy, and livestock. I doubt if Larry Flynt has anything to do with any of those.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2181.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 15, nays 84, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—15

Ayotte	Johnson (WI)	Murkowski
Burr	Kohl	Paul
DeMint	Kyl	Portman
Hatch	Lee	Rubio
Heller	McCain	Toomey

NAYS—84

Akaka	Enzi	Mikulski
Alexander	Feinstein	Moran
Barrasso	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Graham	Nelson (FL)
Bennet	Grassley	Pryor
Bingaman	Hagan	Reed
Blumenthal	Harkin	Reid
Blunt	Hoeven	Risch
Boozman	Hutchison	Roberts
Boxer	Inhofe	Rockefeller
Brown (MA)	Inouye	Sanders
Brown (OH)	Isakson	Schumer
Cantwell	Johanns	Sessions
Cardin	Johnson (SD)	Shaheen
Carper	Kerry	Shelby
Casey	Klobuchar	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Vitter
Coons	Manchin	Warner
Corker	McCaskill	Webb
Cornyn	McConnell	Whitehouse
Crapo	Menendez	Wicker
Durbin	Merkley	Wyden

NOT VOTING—1

Kirk

The amendment (No. 2181) was rejected.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 2426

Mr. COONS. Mr. President, I call up my amendment No. 2426.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr COONS] proposes an amendment numbered 2426.

The amendment is as follows:

(Purpose: To provide for studies on the feasibility of establishing a business disruption insurance policy for poultry producers and a catastrophic event insurance policy for poultry producers)

On page 970, between lines 5 and 6, insert the following:

SEC. 11019. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by sections 11016, 11017, and 11018) is amended by adding at the end the following:

''(21) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—

''(A) DEFINITION OF POULTRY.—In this paragraph, the term 'poultry' has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

''(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

''(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

''(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

''(i) evaluate the market place for business disruption insurance that is available to poultry producers;

''(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy; and

''(iii) analyze the costs to the Federal government of a Federal business disruption insurance program for poultry producers.

''(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

''(i) the study carried out under subparagraph (B)(i); and

''(ii) the study carried out under subparagraph (B)(ii).''.

Mr. COONS. Mr. President, I thank the leaders who have worked so hard on this bipartisan farm bill, especially Chairwoman STABENOW and Ranking Member ROBERTS.

On this bipartisan farm bill, Senator CHAMBLISS and I are grateful to have our amendment heard. Poultry is a critical industry in Delaware, Georgia, and in many States. Between the recession and the volatile cost of chickenfeed, there will be a rising number of factors that can have a catastrophic impact on local economies that are well beyond the control of our farmers and integrators. The two studies we propose in this amendment would explore whether insurance programs might make sense as a tool for helping poultry farmers and integrators continue to thrive during uncertain economic times and would specifically study protection from catastrophic loss from disease outbreaks or bankruptcy of poultry integrators.

This amendment is at no additional cost to taxpayers. I urge my colleagues to join Senator CHAMBLISS and me in supporting it.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, we yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment No. 2426.

The amendment (No. 2426) was agreed to.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2422

Mrs. FEINSTEIN. Mr. President, I call up my amendment 2422.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mrs. BOXER, and Mr. KYL, proposes an amendment numbered 2422.

The amendment is as follows:

(Purpose: To modify a provision relating to conservation innovation grants and payments)

Strike section 2207 and insert the following:

SEC. 2207. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended—

(1) in subsection (b)(2), by striking ''2012'' and inserting ''2017''; and

(2) by adding at the end the following:

''(c) REPORTING.—Not later than December 31, 2013, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

''(1) funding awarded;

''(2) project results; and

''(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.''.

Mrs. FEINSTEIN. Mr. President, I present this amendment on behalf of Senator KYL, Senator BOXER, and myself. It is a very simple amendment. It maintains a provision from the 2008 farm bill that sets aside $37.5 million for air quality improvement projects.

This program has been used to replace old diesel tractor engines with newer, cleaner ones. This improves efficiency for the farmer and air quality in the region. It has helped thousands of farmers comply with EPA, State, and local air quality regulations.

In California's Central Valley, we have some of the poorest air quality in the country. It is an EPA extreme nonattainment zone, and the EPA and the State have set very strict standards for emissions.

This funding has achieved the equivalent of removing more than 408,000 cars from California highways in the last 5 years. I urge its passage.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Ms. STABENOW. Mr. President, I wish to take a moment—the ranking member has yielded some time to me—to thank Senator FEINSTEIN. This is an excellent amendment. She has done a tremendous amount of work on it. I urge a ''yes'' vote.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 2422) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

AMENDMENT NO. 2191

Mr. ALEXANDER. Mr. President, I call up my amendment No. 2191.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 2191.

The amendment is as follows:

(Purpose: To provide that any cooperative organization or other entity that receives a business and industry direct or guaranteed loan for a wind energy project is ineligible for any other Federal benefit, assistance, or incentive for the project)

On page 596, between lines 12 and 13, insert the following:

''(12) OTHER FEDERAL BENEFITS.—Notwithstanding any other provision of law, any cooperative organization or other entity that receives a loan or loan guarantee under this subsection for a wind energy project shall be ineligible for any other Federal benefit, assistance, or incentive for the project under any other provision of law.

Mr. ALEXANDER. Mr. President, if my colleagues think it is a good idea to give rich developers of wind turbines a double dip into the Federal Treasury at a time when we are borrowing 40 cents of every $1, then this provision in the farm bill is for you. If you think a single dip into the Treasury is justified, then this amendment is for you.

The farm bill gives new loans, new loan guarantees for wind turbines. That is on top of the 14 billion Federal tax dollars we are spending over 5 years for wind turbines—$6 billion through the production tax credit and the other $8 billion through the section 603 grants. This simply says: No double-dipping. Only one dip. If you do the tax credit, you can't do the farm bill.

Vote yes if you don't like double-dipping into the Federal Treasury.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to oppose this amendment. I appreciate the interest and concern of the Senator from Tennessee. Let me just say that this amendment would cut off access for farmers and small businesses that are looking to develop wind energy projects that will create jobs. I have to say, as someone coming from Michigan, when I look at one of those big wind turbines, I see 8,000 parts, and every single one of them can be made in Michigan or across the country—we would prefer Michigan. But the reality is this is about jobs.

We are in the middle of a global clean energy race with countries such as China, and this is about giving our businesses a leg up to be able to win that race. Frankly, it is about getting us off of foreign oil. This is one way to do that and to create jobs.

Since 2005, wind energy companies have contributed more than $60 billion to the economy, with over 400 facilities in 43 States. It is about jobs. It is about manufacturing.

I would urge a ''no'' vote.

Mr. ALEXANDER. How much time do we have?

The PRESIDING OFFICER. All time has expired.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 66, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—33

Alexander	Crapo	Murkowski
Ayotte	DeMint	Paul
Barrasso	Enzi	Portman
Blunt	Graham	Risch
Burr	Hatch	Rubio
Chambliss	Isakson	Sessions
Coats	Johnson (WI)	Shelby
Coburn	Kyl	Snowe
Cochran	Lee	Toomey
Corker	McCain	Vitter
Cornyn	McConnell	Wicker

NAYS—66

Akaka	Hagan	Mikulski
Baucus	Harkin	Moran
Begich	Heller	Murray
Bennet	Hoeven	Nelson (NE)
Bingaman	Hutchison	Nelson (FL)
Blumenthal	Inhofe	Pryor
Boozman	Inouye	Reed
Boxer	Johanns	Reid
Brown (MA)	Johnson (SD)	Roberts
Brown (OH)	Kerry	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Levin	Thune
Coons	Lieberman	Udall (CO)
Durbin	Lugar	Udall (NM)
Feinstein	Manchin	Warner
Franken	McCaskill	Webb
Gillibrand	Menendez	Whitehouse
Grassley	Merkley	Wyden

NOT VOTING—1

Kirk

The amendment (No. 2191) was rejected.

AMENDMENT NO. 2199

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I call up Senator MCCAIN's and my amendment No. 2199.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself and Mr. MCCAIN, proposes an amendment numbered 2199.

Mr. KERRY. Mr. President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

(Purpose: To repeal a duplicative program relating to inspection and grading of catfish)

At the end, add the following:

SEC. 12207. REPEAL OF DUPLICATIVE PROGRAM.

(a) IN GENERAL.—Effective on the date of enactment of the Food, Conservation, and Energy Act (7 U.S.C. 8701 et seq.), section 11016 of that Act (Public Law 110–246; 122 Stat. 2130) and the amendments made by that section are repealed.

(b) APPLICATION.—The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) shall be applied and administered as if section 11016 of the Food, Conservation, and Energy Act (Public Law 110–246; 122 Stat. 2130) and the amendments made by that section had not been enacted.

The PRESIDING OFFICER. The time of debate will be equally divided.

Mr. KERRY. Mr. President, Senator MCCAIN and I, along with a strong bipartisan group of our colleagues, are offering this amendment to repeal the 2008 farm bill's catfish language. Our amendment would repeal this language because it is unfair to importers, it is costly to taxpayers, and it provides no food safety benefit. It is duplicative of the other programs, and it never received consideration or debate in the House or Senate and should never have passed in the first place. It doesn't make sense to have a catfish category for the regulation of fish, and then all other fish are in a completely separate category.

The GAO concluded in its recent report:

To enhance the effectiveness of the food safety system for catfish and avoid duplication of effort and cost, Congress should consider repealing provisions of the Farm Bill that assigned USDA responsibility for examining catfish and for creating a catfish inspection program.

Five years later, they are still debating what a catfish is. This is entirely duplicative, a waste of time, and hurts consumers and processors.

I hope colleagues will support us in this effort.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Arkansas.

Mr. PRYOR. Mr. President, let me give the other side of the story here. We have a lot of fish that gets imported from important trading partners such as Vietnam and other Asian countries. It is disputed whether they meet the definition of catfish. They certainly aren't an American variety of catfish; they are probably some other type of fish. But regardless of all of the science there, it is important that we inspect these fish as they come in because they are not grown in the same sanitary conditions we have in the United States. They use different herbicides and pesticides, and they have different pollutants. In fact, we have seen documented cases where they are raised in sewage water—water contaminated with sewage.

We need to make sure these fish are inspected when they come into the United States. That is what the underlying bill provides, and that is what I support.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

Ms. STABENOW. Mr. President, it is my understanding that we can proceed with a voice vote on this amendment.

The amendment (No. 2199) was agreed to.

Mr. KERRY. Mr. President, I move to reconsider the vote, and I lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2309

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 2309.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. CHAMBLISS, proposes an amendment numbered 2309.

The amendment is as follows:

(Purpose: To require a study into the feasibility of an insurance product that covers food safety recalls)

On page 968, between lines 4 and 5, insert the following:

SEC. 11017. STUDY OF FOOD SAFETY INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11016) is amended by adding at the end the following:

''(19) STUDY OF FOOD SAFETY INSURANCE.—

''(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

''(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

''(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).''.

Mrs. FEINSTEIN. Mr. President, I offer this amendment on behalf of Senator CHAMBLISS and myself. This is a simple amendment. It simply authorizes a study into how we can better cover farmers affected by recalls they did not cause.

When a food safety recall occurs—such as spinach, tomatoes, cantaloupe—consumers stop purchasing the product regardless of what farm the food came from. When this happens, producers suffer major financial losses because of a recall they did not cause.

This amendment directs the USDA to conduct a study into the feasibility of a crop insurance product that would cover a producer's losses after these kinds of events.

The amendment has zero cost, it has bipartisan support, and it is endorsed by United Fresh.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. FEINSTEIN. Mr. President, I urge an ''aye'' vote. I don't believe a rollcall vote is necessary.

The PRESIDING OFFICER. Who yields time in opposition?

Ms. STABENOW. Mr. President, I strongly commend Senator FEINSTEIN and strongly support the amendment.

It is my understanding we do have those who have asked for a rollcall vote on this amendment.

I yield to my ranking member.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, we have a request on our side for a recorded vote. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 76, nays 23, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—76

Akaka	Feinstein	Murkowski
Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson (NE)
Baucus	Grassley	Nelson (FL)
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Blunt	Isakson	Risch
Boozman	Johanns	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown (MA)	Kerry	Schumer
Brown (OH)	Klobuchar	Shaheen
Burr	Kohl	Snowe
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Chambliss	Lieberman	Vitter
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Cornyn	Merkley	Wyden
Crapo	Mikulski	
Durbin	Moran	

NAYS—23

Barrasso	Heller	Paul
Coats	Hoeven	Roberts
Coburn	Inhofe	Rubio
Corker	Johnson (WI)	Sessions
DeMint	Kyl	Shelby
Enzi	Lee	Thune
Graham	McCain	Toomey
Hatch	McConnell	

NOT VOTING—1

Kirk

The amendment (No. 2309) was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 2217

Mr. TOOMEY. Mr. President, I call up amendment No. 2217.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 2217.

The amendment is as follows:

(Purpose: To eliminate the organic certification cost share assistance program)

Beginning on page 980, strike line 13, and all that follows through page 983, line 20.

The PRESIDING OFFICER. There are 2 minutes of debate equally divided.

Mr. TOOMEY. Mr. President, the bill we are debating today has a provision called the Organic Certification Cost Share and Agricultural Management Assistance Program. This creates $115 million of mandatory spending over the next 5 years. It continues existing policy except at a much higher spending level. It is a 53-percent increase over the 2008 farm bill. Half of the funding goes to pay producers. Half of this funding goes to have taxpayers pay the cost of producers that want to certify that they grow an organic product. I have nothing against organic farming, but it is a $31 billion industry. It has had a 50-percent growth rate just since 2008, and this applies only to large producers because small producers are not required to seek this certification. This is a great market. There is a great deal of interest in organic products, but I think these large producers can pay for their own certification.

The other half goes to duplicative conservation efforts.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TOOMEY. Thank you, Mr. President.

Mr. LEAHY. Mr. President, I strongly oppose the Toomey amendment, which would completely eliminate funding for the organic certification cost-share assistance, risk management education, and agricultural management assistance. These programs are highly effective and have helped farmers across the entire country, which is why they have widespread bipartisan support. They ensure that all producers have equal access to the organic certification process, support sustainable farm practices, and help disseminate information about the intricate crop insurance system to those who traditionally have not had access. The farm bill is about fairness, equity, job growth, and protecting farmers eliminating these vital programs runs counter to these fundamental goals.

The National Organic Certification Cost Share Program and the Agricultural Management Assistance program have proven to be highly cost-effective tools for farmers. With grants of up to $750, they allow organic producers and handlers to defray a portion of their rising organic certification costs. These small grants help the many producers who already follow organic practices complete the costly certification process. In fiscal year 2011 alone, over 9,300 operations in 49 states received assistance through these 2 programs.

Demand from the marketplace has fueled the skyrocketing production of organic food. This food frequently yields higher prices for producers and gives consumers greater choice. Many small producers who often sell their goods directly to consumers—have trouble obtaining organic certification, which is the last hurdle that must be

overcome to access these valuable markets. The National Organic Certification Cost Share Program brings equity to the system and enables producers to properly label their goods. This ensures that consumers can find American organic products and rest assured that they have been produced according to organic standards.

The Agricultural Management Assistance, AMA, program also helps producers make the conservation improvements that they would like to make—such as water quality and erosion controls. This program is completely voluntary and helps farmers in states where participation in Federal Crop Insurance has remained low. Agricultural Management Assistance helps farmers develop sustainable practices that protect their farmland and ensure the health of our shared water systems. This is the type of program that pays long-term dividends and greatly reduces future mitigation costs for our Nation's farmers.

Last year Tropical Storm Irene devastated the landscape in Vermont, eroding soil and spreading contaminants into our water system. Fertile soil was wiped away leaving only bedrock behind. To the extent we can, we should try to lessen the toll of natural disasters like Irene by implementing the conservation practices that AMA supports. Eliminating programs like AMA kicks the can down the road, increasing the size and impact of problems that our children and grandchildren will be left to fix.

I urge all Senators to stand with our farmers and oppose this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I rise to oppose this amendment. One of the important principles in this bill is that we support the great diversity of American agriculture. This particular amendment would go after a very small part of this bill—a provision to support the fastest growing part of agriculture, which is organic farming.

We have reformed this bill, as we have every other part of the bill. We continue what has been in the farm bills of the past.

I might add this amendment would also reduce funding available for conservation and risk management assistance for States that have been underserved by crop insurance.

I urge a ''no'' vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2217.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 57, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—42

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Blunt	Hatch	Paul
Boozman	Heller	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Cochran	Kyl	Shelby
Corker	Lee	Thune
Cornyn	Lugar	Toomey
Crapo	Manchin	Vitter
DeMint	McCain	Wicker

NAYS—57

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—1

Kirk

The amendment (No. 2217) was rejected.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 2156

Mrs. GILLIBRAND. Mr. President, I call up my amendment No. 2156.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mrs. GILLIBRAND], for herself, Mr. LAUTENBERG, Mr. SCHUMER, Mr. REED, and Mr. WYDEN, proposes an amendment numbered 2156.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike a reduction in the supplemental nutrition assistance program and increase funding for the fresh fruit and vegetable program, with an offset that limits crop insurance reimbursements to providers)

Beginning on page 312, strike line 9 and all that follows through the end of page 313.

On page 361, strike lines 1 through 8 and insert the following:

SEC. 4207. PURCHASE OF COMMODITIES BY COMMODITY CREDIT CORPORATION.

When the Secretary considers the purchasing of commodities by the Commodity Credit Corporation or under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), in addition to other appropriate considerations, the Secretary may consider the needs of the States and the demands placed on emergency feeding organizations.

SEC. 4208. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a(i)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) MANDATORY FUNDING.—In addition to any other amounts made available to carry out this section, on October 1, 2012, and on each October 1 thereafter through October 1, 2021, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $50,000,000, to remain available until expended.''.

On page 953, between lines 8 and 9, insert the following:

SEC. 11011. ANNUAL LIMITATION ON DELIVERY EXPENSES AND REDUCED RATE OF RETURN.

(a) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

''(G) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Beginning with the 2014 reinsurance year, the amount paid by the Corporation to reimburse approved insurance providers and agents for the administrative and operating costs of the approved insurance providers and agents shall not exceed $825,000,000 per year.''.

(b) REDUCED RATE OF RETURN.—Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) (as amended by section 11010) is amended by adding at the end the following:

''(G) REDUCED RATE OF RETURN.—Beginning with the 2014 reinsurance year, the Standard Reinsurance Agreement shall be adjusted to ensure a projected rate of return for the approved insurance producers not to exceed 12 percent, as determined by the Corporation.''.

AMENDMENT NO. 2156, AS MODIFIED

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that my amendment be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

Beginning on page 312, strike line 9 and all that follows through the end of page 313.

On page 361, strike lines 1 through 8 and insert the following:

SEC. 4207. PURCHASE OF COMMODITIES BY COMMODITY CREDIT CORPORATION.

When the Secretary considers the purchasing of commodities by the Commodity Credit Corporation or under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), in addition to other appropriate considerations, the Secretary may consider the needs of the States and the demands placed on emergency feeding organizations starting in 2014.

SEC. 4208. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a(i)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) MANDATORY FUNDING.—In addition to any other amounts made available to carry out this section, on October 1, 2014, and on

each October 1 thereafter, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $50,000,000, to remain available until expended.''.

On page 953, between lines 8 and 9, insert the following:

SEC. 11011. ANNUAL LIMITATION ON DELIVERY EXPENSES AND REDUCED RATE OF RETURN.

(a) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

''(G) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Beginning with the 2014 reinsurance year, the amount paid by the Corporation to reimburse approved insurance providers and agents for the administrative and operating costs of the approved insurance providers and agents shall not exceed $825,000,000 per year.''.

(b) REDUCED RATE OF RETURN.—Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) (as amended by section 11010) is amended by adding at the end the following:

''(G) REDUCED RATE OF RETURN.—Beginning with the 2014 reinsurance year, the Standard Reinsurance Agreement shall be adjusted to ensure a projected rate of return for the approved insurance producers not to exceed 12 percent, as determined by the Corporation.''.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided.

The Senator from New York.

Mrs. GILLIBRAND. Let me be clear, Mr. President, about what this amendment does and does not do. This amendment does not extend or expand the Food Stamp Program. It provides the exact same benefits families are receiving today.

Half of the food stamp beneficiaries are children, 17 percent are seniors, and, unfortunately, now 1.5 million households are veteran households that are receiving food stamps.

This amendment does not take a penny from our farmers. These cuts are not about waste, fraud, and abuse. According to CBO, it is $90 a month from these families' kitchen tables.

We all here in this Chamber take the ability to feed our children for granted. That is not the case for too many families in America. Put yourselves for just a moment in their shoes. Imagine being a parent who cannot feed your children the food they need to grow. It is beneath this body to cut food assistance for those who are struggling the most among us.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Michigan.

Ms. STABENOW. Mr. President, I must, regretfully, oppose this amendment. I deeply care about protecting nutrition assistance programs. I hope that is not in doubt. But here is what is going on. In a handful of States, they have found a way to increase the SNAP benefits for people in their States by sending $1 checks in heating assistance to everyone who gets food assistance. Now, it is important to consider what a family's heating bill is when determining how much help they need, which is why the two programs are linked. But sending out $1 checks to everyone is not the intent of Congress. For the small number of States that are doing that, it is undermining the integrity of the program, in my judgment.

I appreciate we have turned down those amendments that would, in fact, change this structure and lower benefits. But this is about accountability and integrity within the program, and I must oppose the amendment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I strongly oppose this amendment. This amendment would shield over 82 percent of farm bill spending from deficit reduction and prevent the bill from addressing a serious breach in nutrition program integrity.

Let me be clear. Tightening the LIHEAP loophole does not affect SNAP eligibility for anyone using SNAP.

To add insult to this injury, this amendment then pillages money from crop insurance——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERTS. Did we not have a minute apiece?

Ms. STABENOW. I would ask the Presiding Officer if there is any time remaining in the debate?

The PRESIDING OFFICER. All debate time has expired.

Mr. ROBERTS. Well, we will stop at ''pillaging.''

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment, as modified.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 66, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—33

Akaka	Gillibrand	Murray
Begich	Heller	Reed
Blumenthal	Kerry	Reid
Boxer	Lautenberg	Rockefeller
Brown (MA)	Leahy	Sanders
Brown (OH)	Levin	Schumer
Cantwell	Lieberman	Shaheen
Cardin	Menendez	Snowe
Casey	Merkley	Udall (NM)
Coons	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden

NAYS—66

Alexander	Coats	Franken
Ayotte	Coburn	Graham
Barrasso	Cochran	Grassley
Baucus	Collins	Hagan
Bennet	Conrad	Harkin
Bingaman	Corker	Hatch
Blunt	Cornyn	Hoeven
Boozman	Crapo	Hutchison
Burr	DeMint	Inhofe
Carper	Durbin	Inouye
Chambliss	Enzi	Isakson
Johanns	McCaskill	Sessions
Johnson (SD)	McConnell	Shelby
Johnson (WI)	Moran	Stabenow
Klobuchar	Nelson (NE)	Tester
Kohl	Nelson (FL)	Thune
Kyl	Paul	Toomey
Landrieu	Portman	Udall (CO)
Lee	Pryor	Vitter
Lugar	Risch	Warner
Manchin	Roberts	Webb
McCain	Rubio	Wicker

NOT VOTING—1

Kirk

The amendment (No. 2156), as modified, was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have done very well today. We have 2½ pages, and we almost have a page of our amendments finished. We are going to have 2 hours of debate of the time set forth for the resolution of disapproval. That will start at 7:50 tonight or thereabouts. One of the Senators agreed to take a voice vote, and that saved us 15 minutes. So we gave them 10 minutes off.

If everybody will look at these amendments, we have to finish this bill and flood insurance this week. We have to do that. I don't want to be crying wolf that we are going to have to be here Friday. We need to finish our work, and we can do that. People have been here, and we have finished some of our votes before the time even expired. That is difficult. The floor staff has a difficult time recapping the votes, but everybody did a good job.

I hope one of the things we can look at is that perhaps Senators BOXER and INHOFE could look at giving back an hour of their time for debate. I think virtually everybody knows how they will vote on this issue. The debate could be stunning and somebody could change, but I doubt it. If they will consider giving back an hour of their time out of the 4, it will help us.

I don't want to be here until 2 o'clock Friday morning. I don't want to do that. I hope we can work through this. We will have a limited amount of morning business tomorrow and we will start voting as soon as we can and we will move quickly like we have today. I ask everybody to look at the amendments and see if they are willing to take a voice vote. We are going to stop voting at about 7:50 p.m.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

AMENDMENT NO. 2263

Mr. DEMINT. Mr. President, I call up amendment No. 2263.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2263.

The amendment is as follows:

(Purpose: To maintain funding at current levels for programs providing access to broadband telecommunications services in rural areas)

On page 770, strike lines 7 through 11 and insert the following:

(7) in subsection (k)(1), by striking ''2012'' and inserting ''2017''; and

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided, on the amendment.

Mr. DEMINT. Mr. President, the President's 2013 budget asks for about $9 million for the Rural Utility Service to expand broadband services in rural areas. The average spending over the last 10 years for that service is about $14 million. The current level of spending is at $25 million. If anything, given our $16 trillion in debt, one would think we would come in somewhat below that. But the farm bill doubles our current level from $25 million to $50 million.

My amendment keeps spending at the $25 million level. That is the least we can do, given the President has asked for $9 million. The average is $14 million, and we are now at $25 million. We at least need to keep it there.

I encourage my colleagues to have a brief moment of fiscal sanity and vote for my amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to oppose the amendment that would cut funding for critical programs for small businesses in rural communities across the country. In the 1930s and 1940s we made a commitment to rural electrification and extended what was a fairly new technology to communities across the country. We had a boom in innovation and economic growth.

Our country no longer has a divide between urban ''haves'' and rural ''have-nots'' as a result of that. Today, the Internet is the new dividing line. Too many communities still don't have access to high-speed broadband Internet for businesses in these locations. It is a real competitive disadvantage for them, especially in a global economy.

I urge that we support what we have done to invest in small businesses and the ability to connect. We don't need the new urban ''haves'' and rural ''have-nots.'' This is about investing in rural communities.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DEMINT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. UDALL of Colorado). Are there any other Sentors in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 136 Leg.]

YEAS—45

Alexander	Barrasso	Boozman
Ayotte	Blunt	Brown (MA)
Burr	Hatch	Moran
Chambliss	Heller	Paul
Coats	Hoeven	Portman
Coburn	Hutchison	Risch
Cochran	Inhofe	Roberts
Collins	Isakson	Rubio
Corker	Johanns	Sessions
Cornyn	Johnson (WI)	Shelby
Crapo	Kyl	Snowe
DeMint	Lee	Thune
Enzi	Lugar	Toomey
Graham	McCain	Vitter
Grassley	McConnell	Wicker

NAYS—54

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Nelson (NE)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Reid
Boxer	Kohl	Rockefeller
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Conrad	Manchin	Udall (CO)
Coons	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Webb
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NOT VOTING—1

Kirk

The amendment (No. 2263) was rejected.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2366

Mrs. HAGAN. Mr. President, I call up Hagan amendment No. 2366.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from North Carolina [Mrs. HAGAN] proposes an amendment numbered 2366.

Mrs. HAGAN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Risk Management Agency and the Federal Crop Insurance Corporation to use plain language and a website to make crop insurance more accessible)

At the end of title XI, add the following:

SEC. 110____. GREATER ACCESSIBILITY FOR CROP INSURANCE.

(a) FINDINGS.—Congress finds that—

(1) due to changes in commodity and other agricultural programs made by the Agriculture Reform, Food, and Jobs Act of 2012, it is more important than ever that agricultural producers be able to fully understand the terms of plans and policies of crop insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(2) proposed reductions by the Secretary in the number of State and local offices of the Farm Service Agency will reduce the services available to assist agricultural producers in understanding crop insurance.

(b) REQUIREMENT FOR USE OF PLAIN LANGUAGE.—

(1) IN GENERAL.—In issuing regulations and guidance relating to plans and policies of crop insurance, the Risk Management Agency and the Federal Crop Insurance Corporation shall, to the greatest extent practicable, use plain language, as required under Executive Orders 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and 12988 (28 U.S.C. 519 note; relating to civil justice reform).

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the efforts of the Secretary to accelerate compliance with the Executive Orders described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers (as defined in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)), shall improve the existing Internet website through which agricultural producers in any State may identify crop insurance options in that State.

(2) REQUIREMENTS.—The website described in paragraph (1) shall—

(A) provide answers in an easily accessible format to frequently asked questions; and

(B) include published materials of the Department of Agriculture that relate to plans and policies of crop insurance offered under that Act.

(d) ADMINISTRATION.—Nothing in this section authorizes the Risk Management Agency to sell a crop insurance policy or plan of insurance.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided.

Mrs. HAGAN. Mr. President, as everyone knows, Federal crop insurance policies are extremely technical and complex. My amendment seeks to give farmers additional access to clear, concise information about crop insurance policies and programs approved by the USDA.

This commonsense amendment seeks to accomplish this goal in two ways:

First, it will require the Secretary of Agriculture to report back to Congress on the status of the agency's effort to comply with the President's Executive order to require the use of plain language. My hope is that this simple measure will force USDA to move quickly to provide information necessary for our farmers in North Carolina and other parts of the country to make informed decisions about signing up for the crop insurance plans that meet their specific needs.

Second, my amendment requires the Risk Management Agency to improve its existing Web site so that agriculture producers in any State can access easily understandable information on crop insurance.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HAGAN. I urge my colleagues to support this commonsense amendment.

The PRESIDING OFFICER. Who yields time?

Ms. STABENOW. Mr. President, on behalf of the ranking member and myself, I yield back the time.

It is my understanding that we may proceed with a voice vote on this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2366) was agreed to.

AMENDMENT NO. 2262

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I call up my amendment No. 2262.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2262.

(Purpose: To express the sense of the Senate that nothing in this Act or an amendment made by this Act should manipulate prices or interfere with the free market)

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE.

It is the sense of the Senate that nothing in this Act or an amendment made by this Act should manipulate prices or interfere with the free market.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided.

Mr. DEMINT. Mr. President, this amendment is a sense of the Senate that reflects what all of us talk about not just with the farm bill but with the whole U.S. economy—the importance of a free market and letting our competitive system work.

This amendment says that nothing in the farm bill would interfere with the free market by setting prices or doing anything that I think all of the proponents of the bill say it will do—that it will protect the free market.

So it is a sense of the Senate, and I agree to a voice vote on this, but I encourage my colleagues to add their voice to the free market system and support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, on behalf of the ranking member and myself, I yield back all time, and we both agree to a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2262) was agreed to.

AMENDMENT NO. 2187

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I call up my amendment No. 2187.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes an amendment numbered 2187.

(Purpose: To extend eligibility for certain emergency loans to commercial fishermen)

On page 398, line 1, insert ''(including a commercial fisherman)'' after ''farmer''.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided.

Mr. KERRY. Mr. President, this is an amendment on behalf of myself, Senator MURKOWSKI, Senator BROWN, and others.

In these very difficult economic times, we have also had a problem for the fishermen of the Northeast and in other parts of the country where the fishing stocks have been greatly reduced for a lot of different reasons, and a lot of fishermen are sitting there with their boats, where they are trying to get through the season in order to be able to fish in the future, with greatly restricted fishing capacity and availability. This is not unlike farmers who wind up with crops being affected by floods and other disasters, things that take place.

All we are seeking is the ability to do away with an inequity in the law that denies fishermen access to a loan under Federal emergency loan standards for when an emergency arises and they need to have some ability to stay over.

The Congressional Budget Office determined that this amendment has no score. There is no score.

We believe commercial fishermen deserve access to the same type of assistance commercial farmers and other people in this country get. We hope colleagues will do away with this anomaly that denies them the ability to simply apply, through normal standards, for a loan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, we yield back all time. I understand we can proceed with a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2187) was agreed to.

Mr. JOHANNS. Mr. President, Senate amendment No. 2187 offered by Senator KERRY has now been voice voted onto the farm bill. It is unfortunate that this significant change of USDA policy occurred without a recorded vote.

While it may sound innocuous to add commercial fishermen to the list of those eligible for USDA emergency farm loans, it is not without its negative implications.

Support for commercial fishermen has typically been the responsibility of the Department of Commerce. Thus, USDA has little to no experience serving commercial fishermen.

Additionally, funding for farm emergency loans is limited. Amendment No. 2187 would further dilute this limited pool of funding and divert it from its core mission—assisting our farmers and ranchers.

While this amendment may have been voice voted, I would have voted nay on this amendment had there been a recorded vote. I hope this is an issue that we can revisit and rectify in conference committee.

AMENDMENT NO. 2268

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I call up my amendment No. 2268.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2268.

(Purpose: To prohibit the Secretary from making loan guarantees)

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON PROVISION OF LOAN GUARANTEES.

Notwithstanding any other provision of this Act, including any amendment made by this Act, no loan guarantee may be provided by the Secretary or any other Federal official or agency for any project or activity carried out by the Secretary.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided.

Mr. DEMINT. Mr. President, as we look at some of the loan guarantees—such as Solyndra—that have gone bad, this amendment would prohibit loan guarantees for the farm bill. There are many programs that guarantee loans that expose the American taxpayers to millions of dollars. This bill would prohibit those guarantees—not prohibit the programs themselves and the crop insurance and things farmers count on but just the liability we put on the American taxpayers. CBO has said loan guarantees do cost the taxpayers money. So I encourage my colleagues to support this amendment and save the American taxpayers from this additional liability.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to oppose this amendment. The FDA loan guarantees are critical to our farmers, our rural small businesses, and community banks in small towns across the country. The loan guarantee programs help support commercial and farm credit lending when farmers and ranchers face tough times. It is also an important program to help beginning farmers and ranchers who don't have a long history of credit but who are certainly qualified to receive loans to start their operations.

We know that the average age of an American farmer is 57 years and that one-quarter of our farmers are 65 years of age or older. If agriculture in America is going to survive, we need to have young people engaged in farming. This amendment would make it much harder. So I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DEMINT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 14, nays 84, as follows:

[Rollcall Vote No. 137 Leg.]

YEAS—14

Ayotte	Graham	McCain
Burr	Inhofe	Paul
Coburn	Johnson (WI)	Rubio
Corker	Kyl	Toomey
DeMint	Lee	

NAYS—84

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Barrasso	Grassley	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Hatch	Portman
Bennet	Heller	Pryor
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inouye	Risch
Boozman	Isakson	Roberts
Boxer	Johanns	Rockefeller
Brown (MA)	Johnson (SD)	Sanders
Brown (OH)	Kerry	Schumer
Cantwell	Klobuchar	Sessions
Cardin	Kohl	Shaheen
Carper	Landrieu	Shelby
Casey	Lautenberg	Snowe
Chambliss	Leahy	Stabenow
Coats	Levin	Tester
Cochran	Lieberman	Thune
Collins	Lugar	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Vitter
Cornyn	McConnell	Warner
Crapo	Menendez	Webb
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Feinstein	Moran	Wyden

NOT VOTING—2

Harkin	Kirk

The amendment (No. 2268) was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 2321

Ms. LANDRIEU. Mr. President, I call up my amendment No. 2321.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 2321.

The amendment is as follows:

(Purpose: To move a section from the rural development title to the credit title)

On page 508, strike lines 13 and 14 and insert the following:

"SEC. 3430. PROHIBITION ON USE OF LOANS FOR CERTAIN PURPOSES.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), the Secretary may not approve a loan under this subtitle to drain, dredge, fill, level, or otherwise manipulate a wetland (as defined in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))), or to engage in any activity that results in impairing or reducing the flow, circulation, or reach of water.

''(b) PRIOR ACTIVITY.—Subsection (a) does not apply in the case of—

''(1) an activity related to the maintenance of a previously converted wetland; or

''(2) an activity that had already commenced before November 28, 1990.

''(c) EXCEPTION.—This section shall not apply to a loan made or guaranteed under this subtitle for a utility line.

"SEC. 3431. AUTHORIZATION OF APPROPRIATIONS AND ALLOCATION OF FUNDS.

Beginning on page 750, strike line 14 and all that follows through page 751, line 6.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided.

Ms. LANDRIEU. Mr. President, I don't believe there is any opposition to this amendment, but I would like a minute to explain. Under current law, any rural development project is automatically excluded from even applying for a loan under current law. That was not the intention of the farm bill, but it was put in the farm bill, the last one. I would like to remove that language so small rural communities of 20,000 or less can apply to build a hospital, fire station, et cetera.

They do not have to be given the permit. They still need to get the wetland permit from the Corps of Engineers, but this removes an automatic prohibition. The agriculture department supports it. I do not believe there is any opposition, and I thank the Chair and ranking member.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, we agree to a voice vote.

The PRESIDING OFFICER. Who yields time?

Ms. STABENOW. I yield the remainder of the time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment.

The amendment (No. 2321) was agreed to.

AMENDMENT NO. 2276

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I believe this will be the last vote of today, DeMint amendment 2276.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2276.

The amendment is as follows:

(Purpose: To prohibit mandatory or compulsory check off programs)

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON MANDATORY OR COMPULSORY CHECK OFF PROGRAMS.

No program to promote and provide research and information for a particular agricultural commodity without reference to specific producers or brands (commonly known as a ''check-off program'') shall be mandatory or compulsory.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided.

Mr. DEMINT. Mr. President, this amendment would give individual businesses and small farmers the freedom to refrain from joining 1 of the 19 check-off programs against their will. Right now, a lot of businesses are forced into programs they do not want to be a part of. As a lot of us know, a lot of the large corporate farmers, a lot of large businesses love to form these check-off programs to force the smaller companies to pay into them.

This just makes it strictly voluntary, so any company that wants to be a part of this, any farmer who wants to be a part of it, can. But it makes no sense to continue to force small businesses into these check-off programs against their will.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I would urge my colleagues to oppose this amendment that would prohibit the zero cost check-off programs. These programs are funded by the private industry, not taxpayers. They are incredibly beneficial to farmers and businesses who want to help market their products. For example, the ''Got Milk'' campaign came from a check-off program used by the dairy industry. The ''Incredible Edible Egg'' is another one. No single egg farmer is going to have the resources to run a national television ad encouraging folks to eat more eggs.

Let's be clear. This is a program that commodity groups vote on and agree to. The ''Got Milk'' campaign happened because dairy farmers got together, voted, and decided they wanted to go ahead and do research and a promotion program. Let's not take the ability for the industry to come together, pool their own money, and market their product.

I would urge a ''no'' vote and ask for the yeas and nays.

Mr. DEMINT. How much time do we have?

The PRESIDING OFFICER. The Senator from South Carolina has 10 seconds.

Mr. DEMINT. I will remind everyone that while it is not taxpayer money, we are forcing businesses to do things they don't necessarily want to do. My amendment would allow any business to join the check-off program voluntarily. That is the American way.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 20, nays 79, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—20

Ayotte	Graham	McConnell
Brown (MA)	Hatch	Murkowski
Burr	Heller	Paul
Coats	Johnson (WI)	Rubio
Coburn	Kyl	Sessions
Cornyn	Lee	Toomey
DeMint	McCain	

NAYS—79

Akaka	Blunt	Chambliss
Alexander	Boozman	Cochran
Barrasso	Boxer	Collins
Baucus	Brown (OH)	Conrad
Begich	Cantwell	Coons
Bennet	Cardin	Corker
Bingaman	Carper	Crapo
Blumenthal	Casey	Durbin

Enzi
Feinstein
Franken
Gillibrand
Grassley
Hagan
Harkin
Hoeven
Hutchison
Inhofe
Inouye
Isakson
Johanns
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
Manchin
McCaskill
Menendez
Merkley
Mikulski
Moran
Murray
Nelson (NE)
Nelson (FL)
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Sanders
Schumer
Shaheen
Shelby
Snowe
Stabenow
Tester
Thune
Udall (CO)
Udall (NM)
Vitter
Warner
Webb
Whitehouse
Wicker
Wyden

NOT VOTING—1

Kirk

The amendment (No. 2276) was rejected.

Mrs. FEINSTEIN. Mr. President, I rise to express my deep disappointment that the Senate will not be considering amendment No. 2252, the Egg Products Inspection Act Amendments of 2012.

Unanimous consent was required for this amendment to be voted on, but it is my understanding that there were objections to its consideration.

That is unfortunate because this was a bipartisan amendment cosponsored by Senators BLUMENTHAL, SCOTT BROWN, CANTWELL, COLLINS, KERRY, LIEBERMAN, MENENDEZ, MERKLEY, MURRAY, SANDERS, VITTER, and WYDEN.

The amendment was supported by the vast majority of the egg industry, and it was supported by the vast majority of animal welfare organizations.

The major opposition to this amendment came from groups wholly unaffected by it.

Without Congressional action, the egg industry in California and the rest of this Nation is very much in jeopardy. Individual State standards threaten to cripple the industry.

That is why I introduced this amendment—to give the industry a chance to survive.

The amendment would have set a national standard for the treatment of egg-laying hens and would have established standards for egg labeling.

Let me briefly explain the specifics:

The size of new and existing hen cages would have had to be increased over the next 18 years.

The practice of depriving hens of food and water to increase egg production would have been outlawed.

Minimum air quality standards would have been put in place for hen houses, protecting workers and birds.

And clear requirements for egg labeling would have been created, so consumers know whether the eggs they buy come from hens that are caged, housed in enriched cages, cage-free or free range.

As I said earlier, this bill is strongly supported by the Nation's largest egg producer organization, the United Egg Producers. And it is supported by the largest animal welfare organization, the Humane Society of the United States.

After years of disagreement, the Humane Society and the egg producers decided to work together, and they were able to agree on a reasonable and practical compromise. The text of this amendment is the product of their negotiations.

The reason for the compromise is clear: The current laws governing the treatment of egg-laying hens and the labeling of eggs vary from State to State. This makes it difficult for producers to do business in multiple States.

In 2008, California voters passed Proposition 2 with 64 percent of the vote. This initiative requires egg producers to increase cage size so that the birds can stand up and extend their wings.

Similar initiatives passed in Michigan, Arizona, Washington, Ohio and Oregon. And there may be more if Federal legislation is not enacted.

The result of the varying State laws is that producers will not be able to ship eggs freely across State lines.

The amendment would have addressed this problem by setting a single national standard that is consistent with the existing State laws. And it would have given consumers peace of mind knowing that eggs were raised humanely. It should have been a win-win and an example of what can happen when groups decide to work together.

But instead, a group of unaffected parties decided to make this amendment a rallying cry, and they spread mis-information about what this amendment would really do and who it would really impact.

I understand that many of my colleagues have heard from these other industries. Even though this amendment will not come up, I still want to set the record straight.

The first misconception is that this amendment will set precedent beyond egg producers and impact other industries such as pork, beef, or poultry.

Let me be clear. This amendment applies only to egg producers and is the result of careful negotiations between the only industry that is impacted and animal welfare groups.

Regulations governing eggs date back 30 years and have had no effect on other industries to date. For instance, the FDA has on-farm enforcement authority for egg farms but not for meat or poultry farms. This amendment will not change that.

Furthermore, the meat industry has insisted on preemption of State laws and emphasized the importance of national standards for decades. This legislation applies the same principle to the egg industry.

Another argument I hear is that this bill will hurt small producers.

But small producers—farmers with 3,000 birds or fewer—are exempt from the requirements under this amendment.

Even moderate-sized operations, with more than 3,000 birds, have built-in protections—most notably the long phase-in period—up to 18 years.

Over such a long period, many producers would have replaced existing cages due to normal wear and tear. This amendment will just require producers to purchase slightly larger cages in the coming years.

Even the smallest companies can plan for an investment 18 years out.

This amendment will have positive effects for all producers by providing certainty about the rules with which they must comply.

All producers, regardless of size, face a disadvantage when there is a complicated web of different State regulations.

A third misconception is that this amendment is not based on sound science. Nothing could be farther from the truth.

The amendment is endorsed by the American Veterinary Medical Association, the Association of Avian Veterinarians, the American Association of Avian Pathologists, the Center for Food Safety, and the Center for Science in the Public Interest.

Multiple studies demonstrate that larger, enriched colony cages result in decreased mortality, decreased contamination, and increased egg production.

One survey from Feedstuffs magazine found that hen mortality in larger, enriched cages declined by 45 percent compared to conventional battery cages.

The survey also found that the number and quality of eggs per hen improved, from an average of 399 eggs to 421 in enriched cages.

The weight-per-case of eggs also increased, from 47.93 pounds to 49.4 pounds.

I ask my colleagues to look at the data before jumping to conclusions. This amendment is good for animals and good for the industry.

Finally, I want to set the record straight with regard to consumers and egg prices. A new study released last week by the consulting firm Agralytica found that this amendment would not have a substantial effect on consumers.

Between 2013 and 2030, egg prices are expected to increase only 1 percent as a result of this amendment.

A 1-percent increase translates to about a penny and a half per dozen eggs, or one-eighth of 1 cent per egg.

The Agralytica study attributes the low impact to the long phase-in period, giving producers ample time to adjust to the new requirements.

The bill has been endorsed by the Consumer Federation of America and the National Consumers League.

And it is important to understand that this amendment captures what is already occurring with consumer demand.

Polls indicate broad support for the provisions in this amendment. The survey found that:

Consumers support this bill by a 4-to-1 margin;

Consumers prefer a Federal standard over State standards by a 2-to-1 margin; and,

92 percent of consumers support the industry transitioning to enriched cages.

It is not often that we have the opportunity to enact legislation that helps industry, reflects consumer demand, and is supported by a broad coalition of advocates on both sides of an issue. If my colleagues have any doubts about the support for this bill, take a look at the list of supporters. As of today it is 13 pages long.

We wouldn't have gotten this far if it weren't for the strong support and leadership of the United Egg Producers. Without this amendment, the livelihood of the egg producers nationwide will be compromised by the confusing tapestry of State laws.

We had the opportunity to fix this problem before more damage is done—so the fact that we are not even going to consider the amendment makes it all the more disappointing.

The egg industry was prepared to make these investments, and animal welfare advocates and consumers will approve of the end result.

This was a reasonable and widely supported solution to a costly problem.

I hope to work with my colleagues on both sides of the issue to have this legislation considered at a later date. The future of the industry is dependent on it, and I am confident we will be able to get there.

Thank you Mr. President, I yield the floor.

AGRICULTURE

Mr. LIEBERMAN. Mr. President, I wish to engage my colleague, Senator STABENOW, in a colloquy.

I thank Senator STABENOW and the other members of the Senate Committee on Agriculture, Nutrition and Forestry for their collective efforts in passing S. 3240, the Agriculture Reform, Food and Jobs Act of 2012. This bill promises to save taxpayers money and concentrate funds in the areas in which they will have the greatest impact, making them work better for producers.

As the Senator knows, Long Island Sound, LIS, and its watershed contain some of the most important farm, forest, and water resources in the country. The estuary is home to a historically significant and now burgeoning aquaculture industry. The Sound provides natural habitats to more than 1,200 species of invertebrates, 170 species of fish, and hundreds of species of migratory birds. Commercial and recreational shellfishers harvest oysters, crabs, and lobsters from its waters. More than 23 million people live within 50 miles of the Sound. The estimated annual value to the local economy of LIS is $8.91 billion. Federal, State, and local partners operate together throughout its six-State watershed using formal, shared priorities that provide a strong basis for applying conservation practices to improve soil and water quality, farm and producer productivity, and to restore wetlands and wildlife habitat. The Sound and its watershed are recognized by NRCS as a multistate partnership area. The watershed's major river, the Connecticut River, was just designated as the Nation's first Blueway.

Is it the Senator's intent to provide a framework where strong partnerships between producers and conservation organizations, like exist in the Long Island Sound watershed, can succeed by putting forth projects that work to achieve locally or regionally established goals and metrics?

Ms. STABENOW. I thank Senator LIEBERMAN for his leadership on environmental issues facing his State and the Long Island Sound. Yes, that is my intent through the Regional Conservation Partnership Program.

Mr. LIEBERMAN. I thank the Senator for her leadership and assistance and cooperation in ensuring that the intent of this important bill is allowed to be carried out in areas where greatest impact will result.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I ask unanimous consent that Bennet-Crapo amendment No. 2202, which has been cleared by both sides, be in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

UNANIMOUS CONSET AGREEMENT S.J. RES. 37

Mrs. BOXER. Mr. President, I ask unanimous consent that the time for debate this evening on the motion to proceed to S.J. Res. 37 be in order, even though the motion to proceed will not be made until Wednesday's session.

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

Mrs. BOXER. Mr. President, I am going to make a unanimous consent request that Senator CARPER open this debate—and I give thanks to Senator INHOFE for allowing that—for 8 minutes, and then Senator INHOFE will use 15 minutes at his discretion. Then we will go to Senator SHAHEEN for up to 10 minutes. Then we go back to Senator INHOFE for another 15 minutes from his side, and then our side will be Senator LAUTENBERG for 10, Senator MERKLEY for 10, and Senator WHITEHOUSE for 10.

Mr. INHOFE. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. It is my understanding that we would have our three speakers after that, but not necessarily restricted to 5 minutes. It will not be much more than that. But since our speakers will be speaking in these three sessions, I would like a little latitude, maybe 6 or 7 minutes on those three.

Mrs. BOXER. Why not give us an exact time. I think it is important. So we are saying instead of 15 minutes of time—I would just say some of my people—can the Senator from Oklahoma take the first segment for 15 minutes—because I know Senator SHAHEEN is going to be waiting to speak—and then we will give you 20 minutes after that?

Mr. INHOFE. For my three who come after Senator CARPER, 6 minutes apiece.

Mrs. BOXER. So 18 minutes.

Mr. INHOFE. Yes.

Mrs. BOXER. OK. Then we will go to Senator SHAHEEN for 10 and back to Senator INHOFE for 18 minutes.

Mr. INHOFE. Yes, that would be fine.

Mrs. BOXER. All right. Then the others will have 10 minutes apiece after that.

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

The Senator from Delaware.

Mr. CARPER. My thanks to Senator BOXER and to Senator INHOFE.

Over the years, I have been privileged to hold a bunch of different jobs, including newspaper boy, pots-and-pan man in college, naval flight officer, and Governor of my State, just to name a few. The most cherished and important job I have ever held is that of the role of father. I am blessed with three wonderful sons who make me proud and thankful every day.

Celebrating Father's Day this past weekend, I was reminded that a major motivator in my own life has been my love for our boys and my desire to make the world a better place for them. Today, 2 days later, I am reminded of just how important this clean air fight is for my children and for children across the country.

Unbeknownst to a lot of us, our children actually listen to what we say. More importantly, they watch just about everything we do. They notice the choices we make and the company we keep. They hear us talk about playing by the rules and treating others the way we would like to be treated. They watch carefully to see if we actually practice what we preach—if we play fair, and if we do try to follow the Golden Rule as we go about our lives. They hear us talk about chores, homework, and responsibility, but they watch to see if we actually pitch in and do our fair share.

It strikes me that much of the country's ongoing efforts to clean up the air pollution is about playing fair and doing our share. My home State of Delaware has done our homework and worked hard on that front and, as a result, we have made great strides in cleaning up our own air pollution. Unfortunately, a number of the upwind States to the west of us have not made the same commitment to clean air. In fact, 90 percent of Delaware's pollution comes from our neighboring States. This pollution endangers our hearts, lungs, and brains, and it costs us a great deal in medical bills and in the quality of our lives.

Some of this air pollution, such as poisonous mercury, settles into our streams and our fish, threatening the health of this generation and generations to come. That doesn't sound like the Golden Rule to me.

Even though the First State is doing its part to protect our air and public health, some of our neighbors are not. Yet those of us who live at the end of America's tailpipe end up suffering. It just is not fair.

Fortunately, Federal clean air protections established by the Clean Air Act have been created to right that wrong. These protections were forged by both Democrats and Republicans who believe that playing fair and doing our share when it comes to cleaning up America's air is profoundly important.

The Clean Air Act, signed by President Richard Nixon in 1970 and updated in 1990 by President George Herbert Walker Bush, was approved each time by Congress with overwhelming bipartisan support. In fact, many in this Congress on both sides of the aisle supported the passing of the Clean Air Act Amendments of 1990. Those Members include my friends, Senator BOXER and Senator INHOFE, and me.

This landmark law to protect public health and the environment has proven time and again to be a success. In fact, I am told the Clean Air Act delivers about $30 of health savings for every $1 we invest in clean air—not a bad return on our investment. Moreover, the Clean Air Act has helped create hundreds of thousands of jobs in new technologies as America develops clean air solutions that our businesses can export around the globe.

The bipartisan vision embodied in our Nation's clean air laws has been translating into healthier, longer, and more productive lives for millions of Americans.

While much of the Clean Air Act has been in place improving health for years, some key aspects of the law have never been implemented. They include requirements to reduce deadly mercury and other toxic air emissions from some of our oldest and dirtiest coal-fired plants. These toxic air pollutants are known to cause cancer, neurological damage, and other health concerns.

One example of particular concern is mercury. Up to 10 percent of childbearing women in this country have unsafe levels of mercury in their bodies. Today, all 50 States have mercury fish consumption advisories. In fact, there are more fish consumption advisories in the United States for mercury than for all other contaminants combined.

Uncontrolled coal-fired utilities are our largest source of mercury in this country. Fortunately, current control technology can dramatically reduce mercury emissions and mercury in our local environments.

This is why Senator ALEXANDER, several of our colleagues, and I have been trying for years to reduce emissions through legislation. It is also why 18 States have their own powerplant mercury standards. Yet, until recently, we lacked a Federal standard.

Last December, after years of delay, the EPA finally implemented—under court order—Clean Air Act protections to require dirty coal powerplants to clean up their mercury and air toxic emissions. The EPA did so through something called the mercury and air toxics standards rule.

By targeting our Nation's largest sources of mercury emissions, this regulation requires dirty coal plants to reduce their mercury emissions by 90 percent. This will reduce the mercury that contaminates our streams and oceans, pollutes our fish, and harms our children's health.

In implementing these long overdue regulations, the EPA has provided a reasonable and achievable schedule for our powerplants to reduce these harmful emissions. EPA's new standard gives utilities until 2016 to comply. The EPA has also made it clear it is willing to give companies 2 additional years to address reliability concerns if needed. Delaware's powerplants have already met these standards. So do half of the powerplants throughout America. Most communities will see great benefits from these rules, and I am told that nationally we will see up to $90 billion in public health benefits.

As someone who tried for years to work across the aisle to find a way to clean up our Nation's powerplants, I welcomed the EPA's decision to act to finally address these harmful emissions.

Regrettably, some of our colleagues do not share the appreciation that many of us feel for the EPA's efforts to protect public health and our environment. They want to prevent these efforts from moving forward, despite court orders requiring the EPA to do just that. I find it remarkable that some in Congress would seek to prevent the EPA from following through on a law passed overwhelmingly by Congress 22 years ago and signed by a Republican President.

The EPA is doing what Congress told them to do over two decades ago. If we let them do their job, their efforts will reduce harmful pollution and improve the health of generations of children to come.

As much as I hate to say it, given my friendship with the author of this proposal, a vote for this Congressional Review Act would delay any real hope we have of cleaning up our largest source of mercury. A vote for the Congressional Review Act signals uncertainty and a lack of commitment—a commitment to make good on the law we passed overwhelmingly 22 years ago to protect public health in this country.

We cannot afford to delay the mercury and air toxics rule. This is the time to modernize our energy fleet. This is the time to clean up our dirtiest, most inefficient plants. And this is the time to clean up our rivers, lakes, and streams so that all children can look forward to living healthier lives.

So today I rise in strong opposition to this last-ditch effort to prevent the EPA from doing its job—a job we should have done—and reducing these deadly emissions, and I hope my colleagues will join us. My decision to oppose this effort is not based solely on the fact that I am a dad—like a lot of our colleagues here—but knowing that the implementation of this rule will positively impact the lives and health of my sons weighs heavily on my mind. It should weigh heavily on the minds of all of us.

Our children really do hear us when we talk to them and to others. They are watching today to see if we really walk the walk. Whether we are Democrats, Independents, or Republicans, we are still mothers and fathers, aunts and uncles, grandfathers and grandmothers. So let's continue to lead the way by following the Golden Rule this day. Let's treat our neighbors as we would like to be treated, and let's work together across America to keep the Clean Air Act resilient and strong and to make our air cleaner. Our children and their children are counting on us.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would ask that the Senator from Nebraska Mr. JOHANNS be recognized for 7 minutes.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I rise today to support S.J. Res. 37. The rule addresses emissions from powerplants. However, in my judgment, this rule goes too far, too fast, and tries to achieve too much in too little time, at too high a cost to our families.

Oftentimes, we hear concerns in my office about rules and regulations. Too often, those rules and regulations come from the EPA. And when EPA rules are the topic, sometimes I have to ask: Which EPA rule are you talking about? Because, let's face it, the list of EPA job-killing regulations is downright dizzying.

However, this resolution addresses only one, which hammers coal-fired electricity generation, especially large coal-fired plants.

In Nebraska's case, the rule would require the addition of expensive new equipment to control particulate matter and certain exhaust gases. Well, how expensive would these additions be? One of our States's largest utilities has estimated they would need to spend about $900 million to $1.3 billion over the next 3 years to get into compliance. So one might ask, where is that money going to come from? Well, in our State, every single penny of these capital expenditures comes directly from users—essentially every Nebraskan. You see, in our State, the State of Nebraska, we are 100 percent public power. That means no stockholders, no shareholder equity, no profits to draw down.

How quickly would they need to come up with that money? The compliance period is just 3 years. These are major projects, so 3 years is not an adequate timeline. Now, 3 years may sound like plenty of time to some, but the actual process that needs to occur, all in a specific sequence, makes a 3-year timeline especially challenging. Preliminary engineering comes first,

then financing, then opening the projects for bidding, and bidding, and then determining whether compliance with bidding has occurred before you could even start the project. For public power, there are rules and procedures that control each one of these steps. In other words, there is no shortcut.

Normally, our utilities try to get these projects done in the periods known as the shoulder months. In Nebraska, these are the months of early spring and early fall—before the summer heat hits the Midwest and before the winds of winter knock at our door and take temperatures down. If the compliance schedule precludes the powerplant from using these shoulder months, then the project costs go up because of the need to buy power from outside of the system. So what does that mean? It means we are faced with compliance that is nearly impossible. And the compliance dates keep changing. The cross-State air pollution rule—another rule the EPA has finalized just in the last several months—was put on hold by a Federal court after many States affected by the rule challenged the EPA. And we may hear any day now as to whether the court will tell EPA to go back to the drawing board and rewrite the rule.

But the main point is that the stream of rules coming out of EPA is huge and compliance is nearly impossible. In Fremont, NE, a Nebraska city manager described it this way:

> Smaller utilities in rural areas . . . will have difficulty in getting vendors and contractors to supply and install the equipment in this timeframe. Being Public Utilities we have to follow a public letting process and cannot just negotiate a design build contract with a contractor as an investor owned utility can.

So what happens to Fremont's 26,000 residents? Well, they will face rate increases of between 20 and 25 percent to cover the compliance costs of this rule, when combined with the requirements of two other rules. Increasing electricity bills by one-fourth is huge. It is a huge impact on Fremont families.

The city of Grand Island, NE, estimates that the Utility MACT rule will cost $35 million and require 3 to 5 years of planning and financing and construction.

For Hastings, NE, the same sobering outlook—big expense, rushed timeframe, and a worried community trying to figure out how they pay for it. For Hastings alone, the costs of compliance with this rule and the cross-State rule are estimated to be $95 million over 5 years. Now, Hastings has 25,000 residents. You do not need a degree in economics to know this is an enormous burden for the small businesses, small manufacturers, and households. They will carry the load.

So the vote for this resolution is a vote to tell EPA their approach is not achievable. It cannot work. It is a vote that means there is substantial opposition to the rule and the country does not support EPA.

It is also important to note what this vote is not. No. 1 and most significantly, this is not a vote against clean air. Everybody in my State wants clean air. Everybody wants to comply. They just want some clear, achievable rules on a timeline that is reasonable. The Agency needs to go back to the drawing board.

No. 2, this resolution does not strip EPA of its power. If the resolution passes, EPA would not be barred from trying another rule——

The PRESIDING OFFICER. The Senator has used 7 minutes.

Mr. JOHANNS. Let me just close by saying that I hope my colleagues will support us on this resolution.

Thank you, Mr. President.

Mr. INHOFE. Mr. President, I thank the Senator.

I now ask that the Senator from Georgia be recognized for 5 minutes.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I thank my friend from Oklahoma, and I would ask the Chair to let me know when I have utilized 4 minutes, please.

The PRESIDING OFFICER. The Chair will do so, gladly.

Mr. CHAMBLISS. Mr. President, I rise to speak out against the EPA's mercury and air toxics standards—known as Utility MACT—and in support of the resolution disapproving this rule introduced by my colleague from Oklahoma, Senator INHOFE.

This set of standards—one of the most expensive of its kind ever issued by EPA—will cause a rise in electric bills for my constituents in Georgia and for Americans all across this country. As our economy continues to stagnate, we can hardly afford to increase the cost of electricity, which will be an economic burden for individuals and businesses and will hamper economic recovery.

Higher electric bills are especially unwarranted when the regulations that will cause the electricity cost increase are expected to provide negligible benefits for the American public. The poor and individuals on fixed incomes, such as the elderly, can hardly afford higher electricity bills. These are precisely the groups disproportionately affected by Utility MACT.

EPA estimates that compliance with this rule will cost $9.6 billion annually in 2015, which is more conservative than many industry figures. One electric company in my home State estimates that by 2014 Utility MACT could cost them up to $250 million annually to implement. This does not take into account the hundreds of millions of additional dollars the company expects to spend on complying with existing environmental statutes and regulations. Even going by EPA's own conservative $9.6 billion cost estimate, studies have shown that the costs will lead to job loss, both directly at utilities and indirectly through industries and manufacturers affected.

I hear every day from businesses of every size in my home State that say the regulatory overreach of this administration threatens the very well-being of their particular business. Utility MACT is yet another example of this overreach.

Instead of promulgating a limited rule to regulate mercury and air toxics—known as hazardous air pollutants—as the title ''Mercury and Air Toxics Standards'' implies, EPA has extended its reach by focusing a great deal of attention on particulate matter in these standards. Particulate matter emissions, not characterized as hazardous air pollutants, are already subject to other EPA regulations, so with Utility MACT, EPA is going beyond what Congress directed the Agency to do. The extra regulations tacked on to the mercury standard add significantly to the expected cost of this rule.

Furthermore, the standards for new facilities, as set forth by Utility MACT, might very well prove to be unattainable. Due to the methodology employed by EPA to gather the data used to set the standards, even certain manufacturers of the emissions control equipment say they cannot guarantee their technology will be able to achieve the standards in practice. How can we require utilities to reduce emissions to such a level that cannot even be guaranteed achievable with current technology? It makes no sense. That will spell the end of any new coal-fired plants in the United States, drastically reducing our ability to use one of our most abundant domestic energy resources, even in more environmentally friendly ways.

The cumulative impact of these EPA rules coming down the pipeline, one after another, causes further concern. Aptly called a ''train wreck'' by many, by forcing the retirement of one coal-fired plant after another, these rules will put at risk the reliability of our electric supply system.

Some state that a delay in implementation, enacted through legislation or otherwise, will be a sufficient remedy. However, a delay will not address the substantive concerns with this rule as written, including the significant issue of certain standards being unattainable.

I thank my colleague from Oklahoma for introducing this disapproval resolution and showing leadership on this issue. Over 200 companies and associations have joined the Senator from Oklahoma in calling for Utility MACT to be overturned.

I urge my colleagues to support this resolution disapproving the EPA's Utility MACT rule. By doing so, we take a step toward preventing higher electricity prices and grid unreliability while preserving clean air.

The point of supporting this Congressional Review Act resolution of disapproval is to force EPA to go back to the drawing board to craft a narrower rule that properly protects human health in a manner that is not outweighed by its cost, that is actually attainable, and one that will not threaten the reliability of our electrical grid.

I yield the floor.

Mr. INHOFE. I thank the Senator. Mr. President, I ask now that the Senator from Wyoming be recognized for 6 minutes.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to express my support for legislation that will force a partial cease-fire in the Obama administration's war on coal.

If we move forward with Senator INHOFE's resolution of disapproval, we will end one of the most egregious rules promulgated by an administration that, in the words of President Obama, hopes to see the price of electricity necessarily skyrocket.

Coal is our Nation's most abundant energy resource. It provides approximately half our Nation with low-cost, reliable electricity. In my State of Wyoming, more than 6,800 people are employed directly by the coal industry. They make an average salary of more than $77,000 each year, which is $35,000 more than the average wage in the State. When we count those employed directly and indirectly, nearly 30,000 people in Wyoming depend on the coal mining industry for jobs.

Nationwide, the numbers are much larger. The coal industry employs 136,000 people directly, with an average salary of $73,000 per year. For every coal mining job in the United States, we see 3.5 jobs created in another part of the economy. Simply put, the coal industry puts people to work. In an economy that is struggling to recover, the coal industry provides high-paying jobs for workers in Wyoming and in other States such as West Virginia, Pennsylvania, and Virginia.

Coal provides low-cost electricity across the country that can power our Nation's manufacturing base. It provides high-paying jobs across the country at a time when our Nation's unemployment rate is at an unacceptable 8.2 percent, and the most recent jobs report shows no signs that the economy is recovering. With the tremendous benefits coal can provide, it is so puzzling to me that the administration seeks to end our use of this important, affordable energy source.

Since being sworn into office, President Obama's rulemaking machine released rule after rule designed to make it more expensive to use coal. The administration's greenhouse gas standard would make it impossible to build a new coal-fired powerplant in the United States. The stream buffer zone rule would make it more difficult to mine coal. Those are just 2 of the 11 regulations the President is considering that would grievously wound the coal mining industry and hurt an already ailing economy. In total, the regulations could cost up to $130 billion to retrofit existing coal-fired powerplants and could, by some estimates, lead to shutting down as much as 20 percent of the existing coal-fired powerplant fleet.

Today, we have a chance to stop one of those regulations. In February, the EPA finalized a standard that requires a strict reduction in air emissions from electric generating utilities. It is known as the Utility MACT rule. Similar to many of the rules coming from the EPA, the costs of this regulation are great and the benefits are limited. EPA estimates that the rule would create between $500,000 and $6 million in benefits related to mercury reductions, at a cost of nearly $10 billion annually for implementation of the rule. The cost-benefit ratio, assuming the EPA's best-case scenario, is 1,600 to 1.

These costs will be passed on to consumers and will result in higher electricity prices. According to the Industrial Energy Consumers of America, a nonpartisan association of manufacturing companies with more than 650,000 employees, these increased costs will lessen competitiveness, threaten U.S. manufacturing jobs, and make our electric grid less reliable. It is everything not to like in a policy—all costs, no benefits.

National Economic Research Associates has studied the Utility MACT rule and found it would cause between 180,000 and 215,000 job losses by 2015. Further, it found that the Utility MACT rule would increase electricity rates by 6.5 percent on average and by as much as 19.1 percent in some areas of the country. An average household could see their electricity bills go up by at least $400 per year—a cost that will disproportionately impact those with lower fixed incomes, such as many older Americans.

This resolution is the best opportunity to begin fighting back against President Obama's war on coal. By passing S.J. Res. 37, we can take a stand against this administration's goal of higher electricity costs. I plan to vote for Senator INHOFE's resolution and urge my colleagues to do the same.

I yield the floor and reserve the remainder of the time.

Mr. INHOFE. Mr. President, it is my understanding that we have used this element of our time. The Senator from New Hampshire will be recognized for 10 minutes, after which time we will be recognized for 18 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Mr. President, I rise in strong opposition to the efforts to nullify the Environmental Protection Agency's mercury and air toxics standards or MATS. This far-reaching resolution would severely and permanently undermine EPA's authority to protect our Nation's air from harmful and dangerous pollutants.

In New Hampshire, we have long enjoyed bipartisan cooperation when it comes to crafting policies that ensure clean air, a strong economy, and healthy citizens. We do have coal-fired powerplants in New Hampshire, but they have scrubbers on them to clean up the air. When I was Governor, we passed the pollutant bill to address mercury, and it passed with bipartisan support.

Nobody appreciates our clean air more than a woman named Lia Houk, from Henniker, NH. She has lived with cystic fibrosis for the past 40 years. In order to breathe, she must use a nebulizer three times a day and has to exercise daily to clear her lungs. When pollution poisons the air, she suffers from chest tightness and lung hemorrhaging that can lead to hospitalization. Pollution also worsens the long-term effects of cystic fibrosis, such as lung scarring, and it causes her disease to progress more rapidly.

To protect Lia and millions like her, Congress passed the Clean Air Act, and it has long been one of our most successful public health and environmental laws. Yet despite the success of the Clean Air Act, we now face efforts to prohibit the Environmental Protection Agency from regulating toxic air pollutants.

At issue are the new mercury and air toxics standards, which will require powerplants to control the pollution that affects Lia and others who suffer from respiratory problems. For the first time, the standards set Federal limits on the amount of mercury, arsenic, chromium, nickel, and acid gases that powerplants can release into our air. These standards will eliminate emissions of these poisonous chemicals from the powerplants by 90 percent by 2015.

The new nationwide standards are based on widely available pollution control technologies that are already in place at powerplants across the country. They represent a realistic, achievable goal. Yet opponents of MATS argue the environmental regulations will hurt the economy. That is simply not true. These standards will benefit our health, our economy, and our environment.

By removing the largest source of many of these toxins, the new standards will prevent an estimated 17,000 premature deaths and 11,000 heart attacks each year. America's children will be spared 120,000 asthma incidents and 11,000 cases of acute bronchitis. That is particularly important for us in the Northeast. The Presiding Officer, who is from Rhode Island, knows what this is because we are in the tailpipe of the Nation in New England in the Northeast. We get all the pollution coming out of the Midwest from those dirty powerplants. In New Hampshire, we have one of the highest children's asthma rates in the country because of that pollution.

Far from being job killers, these regulations will mean new work for the innovative American companies that supply the equipment needed for plants to comply with the law. In fact, a study by the Economic Policy Institute found that enactment of these standards would create a net gain of 117,000 jobs.

Of course, clean air is also vital to the tourism and outdoor recreation economy, which, in my State, is the second largest industry.

All the beautiful sights of our State, from the White Mountains to the Great Bay, can only be enjoyed if our air is free of smog and clean to breathe.

So as we consider whether to keep the Clean Air Act in place, we don't have to choose between helping people such as Lia or helping our economy. We can and we must do both.

I urge my colleagues to reject the resolution that Senator INHOFE has offered and to continue to protect the health and welfare of our citizens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the next speaker will be Senator HOEVEN for 6 minutes.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak on the Utility MACT issue.

EPA's Utility MACT rule is a clear example of how overzealous regulations and a lack of a sensible energy policy are derailing investment and costing America jobs.

I support good, responsible policies to protect human health and safeguard our environment. These rules, however, need to bear the qualities of all good rules: They need to be simple, efficient, achievable, and affordable. In short, they need to make sense from both an environmental and economic perspective.

Unfortunately, as written, the Utility MACT rule—and others similar to it that the EPA is proposing—fails to find that proper balance. To the contrary, burdensome and complex new rules for the coal industry will not only discourage responsible energy growth but will prompt the complete shutdown of dozens of powerplants.

That will increase energy costs for consumers and businesses and, sadly, force thousands of hard-working Americans onto the unemployment rolls.

Utility MACT alone will require powerplants to install costly emission controls by 2015, with a pricetag for compliance of nearly $10 billion annually.

Moreover, EPA has made it clear there will only be limited extensions to give utilities the time they need to make the changes. We now have an opportunity to vote either to retain or reject the Utility MACT rule under the Congressional Review Act.

In fact, it is exactly this kind of rule that the Congressional Review Act was designed to address, by allowing Congress to review a new regulation and overrule it if that regulation is unfair or overreaching.

So we can send the EPA back to the drawing board and insist that the Agency come up with a plan that is simpler, more affordable and, most important, that is fairer by taking into account the livelihoods of hard-working Americans and their families. That is exactly what we need to do.

In my State of North Dakota, we have a lot of coal-fired electric generation. We supply power not only to our State but to the surrounding States as well—Minnesota, South Dakota, Montana, and well beyond. The reality is that we are producing more power, more electricity, and we are doing it with better environmental stewardship because, in our State, we have created the right legal tax and regulatory climate to stimulate that private investment, which is driving the new technology. In fact, we not only produce coal-fired electricity, we convert coal into synthetic natural gas. But we are successfully doing that because we are driving the investment that is spurring the new technology that is producing more energy. And as we produce more energy, that same technology is also enabling us to do it with better environmental stewardship.

That is the win that we all seek. That is the win we all seek. Because that is not only about providing more electricity, more power, more energy for this country at a lower cost so that consumers benefit, it is also about creating high-quality, high-paying jobs for our American workers and, at the same time, providing better environmental technology through this investment, providing better environmental stewardship through this investment in new technologies. That is exactly what is happening, because we are empowering the industry to produce more electricity to develop, to grow and, again, to develop the technology that produces more technology with the better stewardship.

That is the direction we need to go, and that is why I urge my colleagues to vote for this Congressional Review Act that would require EPA to go back and redraft this rule. It is in the interest of the American workers whose jobs depend on the coal industry, and, ultimately, it is in the best interest of Americans who not only need the energy but, again, as we are able to continue to develop the technology, we produce better and better environmental stewardship.

With that, Mr. President, I yield the floor.

Mr. INHOFE. I thank the Senator, and I now recognize the Senator from Alabama for 6 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank my colleague Senator INHOFE, who has been such a leader on these issues and has contributed so much to the national discussion as we wrestle with the challenges of trying to have affordable energy for Americans to maintain our business competitiveness and improve the quality of our air and environment. And we can do those things. We have been doing those things, and we are going to continue to do those things. But this Senate Joint Resolution 37 dealing with Utility MACT provides us an opportunity to make a strong statement and reject the program the EPA has adopted that will damage this economy, will drive up the cost of energy for every American throughout this country, drive up the cost of energy for American businesses that are struggling now to hire workers and be competitive.

If we have an advantage on the world market today, every expert tells us it is because of a decline in natural gas prices, and we have competitive electricity prices from coal. So we have competitive electricity prices from our largest source—coal—and we have surprising, wonderful new finds in natural gas that are allowing our energy to be cheaper too. This helps us create jobs and growth.

Yet we have within the administration a number of people—and, I hate to say, all the way to the top—who seem to believe that cheap energy is not a goal, that cheap energy is not something that should be brought forth, I guess because that would make their alternative sources—solar and wind and other things—even less competitive than they are today. We will develop those programs. We can seek to advance those programs. But in truth, we should not be mandating these much higher costs on the American people, hammering our economy, which, in effect, is a tax increase on the American economy.

So this is a $90 billion rule—the most expensive environmental rule in our Nation's history. And $90 billion is the amount the EPA acknowledges this rule will cost. The Congressional Review Act that Senator INHOFE has triggered says we can have this vote, this review of any regulation over $100 million, and $90 billion is 900 times larger than $100 million. It is the largest rule in American history. It changes the course of our economy. It is the kind of thing that Members who are elected to answer to the American people should be voting on, not having it done within basically a bureaucratic process, without having elected individuals engaged in it.

But the Congressional Review Act has a fundamental weakness. That weakness is that if the Congress votes to overturn an act, the President can veto it. We have this odd situation where the President appoints the bureaucrats. He appoints the head of the EPA. And all the people working throughout the executive branch and for the President, directly or indirectly—directly, really—produce the regulations the President desires they produce. They do not produce regulations he does not desire they produce. So the result is that Congress has an awfully difficult time overturning it because the President can veto what we pass. We need something like the REINS Act that would actually replace this unconstitutional, nontraditional procedure of impacting our economy with monumental regulations and putting that back to the Congress so that Congress is required to vote on the regulation.

My time, I know, is running out, but I want to reiterate that the impact of the regulations, if not changed, will

drive up the cost of energy for every single American and for all businesses in America. It will achieve only a modest improvement in mercury reductions over what President Bush proposed, and it is so extreme that it hammers coal processing and energy production in America, basically making coal no longer a realistic way to produce electricity in America. That is a huge event that impacts the economy. Fundamentally, this regulation would say that, yes, we have reduced mercury emissions by 50 percent.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. Yes, we would reduce the emissions of mercury since 1990 by 50 percent. Yes, President Bush proposed a very effective, sophisticated plan to further reduce those emissions by 75 percent—75 percent more. But there were problems with it. The courts found a problem with it. But instead of pursuing the matter in the fashion President Bush did, the new regulations call for this dramatic 90-percent reduction of mercury emissions, far more than we are able to do technologically and financially, I believe. That is why I salute Senator INHOFE for this resolution and I will support him.

I thank the Chair, and I yield the floor.

Mr. INHOFE. How much time do we have remaining, including the 40 seconds we didn't use?

The PRESIDING OFFICER. Five minutes on the Senator's side.

Mr. INHOFE. First, let me comment on something I am glad the Senator from Alabama brought up because it is very significant. The frailty in the CRA, for a lot of our fellow Members who are not familiar with the history of that, is that the President can veto it. I am a little hopeful in this case, if we are successful, because I wonder if the President wants to veto, a few months before the election, a bill that is going to cost the American people over 200,000 jobs this year, along with all of the other costs they admit.

The EPA itself says it will cost $10 billion, but it is going to be considerably more than that in nearly everyone else's view. So I hold that out as a hope, that even though he would love to veto it, if we are successful, I don't think he will do it because he wants to get reelected more than he wants to veto this.

I would also comment that I think it is worth bringing up that the other side had an opportunity to do something about real pollution—and we are talking about NO_X, SO_X, and mercury, not CO_2. Remember the Clear Skies Act that was such a successful operation? That was back during the Bush administration. That would have mandated the 75-percent reduction the Senator from Alabama talked about in SO_X, NO_X, and mercury. Those are real pollutants. But it was held hostage because it didn't include CO_2. At that time that was the crown jewel of their efforts.

So all I can say in this remaining time we have is that everything has been said, although it hasn't been said by everybody, and I am not going to repeat that and be redundant. But I think the points were made by all the Senators who spoke, looking at the economy of this and how devastating this would be in terms of jobs in America. But if you look at Utility MACT, it is not about public health, it is about killing coal. And everybody knows that. Everybody knows that. People from coal States are trying to act as if that is not the case, but it is the case. I think we are all very much aware of that.

According to EPA's own analysis, Utility MACT will cost $10 billion, though others have it up higher than that. However, if $10 billion a year to implement it is correct, then it will only yield $6 million in projected benefits—health benefits. This is the EPA talking, not me. And that is at 1600-to-1 ratio. That is not a very good ratio to depend on.

I wish to address the myth that top EPA officials are perpetrating, and that is the idea coal is not being killed by the EPA regulations but by the cheaper price of natural gas. EPA Administrator Lisa Jackson said recently it is simply a coincidence that EPA's rules are coming out at the same time natural gas prices are low, so utilities are naturally moving toward natural gas. So her message was, don't blame the EPA. The truth is the EPA itself has admitted the agency deliberately and consciously made a decision to kill coal.

EPA Region 1 Administrator Curt Spalding was caught on tape saying:

> Lisa Jackson has put forth a very powerful message to the country. Just two days ago, the decision on greenhouse gas performance standard and saying basically gas plants are the performance standard which means if you want to build a coal plant you got a big problem.

He also went on to say the decision by the EPA to kill coal was ''painful every step of the way'' because you have got to remember if you go to West Virginia, you go to Pennsylvania—and he could have included other States in there too, such as Ohio, Illinois and Missouri—but he said ''and all those places, you have coal communities who depend on coal.'' And they are going to put those people out. This is a very serious attack that is taking place right now, I think, when we saw the attack on fossil fuels, as presented by Region 6 Administrator Armendariz, when he said the truth is EPA's ''general philosophy'' is to ''crucify'' and ''make examples'' of oil companies and gas companies.

I only bring that up because many people think this is just about coal. No, it is very clear about fossil fuels. This has been a relentless war of this President on fossil fuels; that is, coal, gas, and oil, ever since he has been in office. It was the president of the Sierra Club who said a short while ago, yes, Utility MACT is about killing coal. Fine, we can kill coal, but that doesn't mean we want to change and start using natural gas because it is also a fossil fuel.

It may be that over in the House it took NANCY PELOSI 6 months to recognize natural gas is a fossil fuel, but it is. So this is just the beginning. This is the one where they are admittedly trying to kill coal because it is an easier target. In their belief, there are fewer States that are the big producers of coal, so go after them first.

I know my time has expired. I only want to say in closing that we will have another opportunity tomorrow. There are many other people wanting to be heard who don't want to kill coal and have this dramatic negative effect on our economy, our jobs, and our ability to produce the necessary energy to run this machine called America.

If we are dependent upon just under 50 percent for our entire generation ability on coal, imagine, if they are successful, what is going to happen to the price of the remaining available fuel? And of course they would be subject next. So I would urge our people to forget for a short period of time this President's obligation to certain small groups and oppose the Utility MACT.

We went through the same thing with greenhouse gases and we fought that battle before, I say to my good friend Senator BOXER from California. At that time, there were many legislative efforts to kill greenhouse gases, and yet every time there was a vote, the people who were answerable to the American people were the ones who voted it down. Now there might be, at most, 25 left in the Senate in favor of greenhouse gas emissions.

I urge Members to pass my CRA and let the President decide what he is going to do about vetoing this issue.

The PRESIDING OFFICER. The Senator's time has expired.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to take 3 minutes now, then yield up to 15 minutes to the Senator from New Jersey. I would then ask my friend, the Senator from Rhode Island—who is in the chair—to take up to 15 minutes, if he would like, and I will sit in the chair.

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

Mrs. BOXER. Mr. President, I just wish to say to my colleague Senator INHOFE before he leaves, that under this President we have seen more domestic energy production than we have seen probably in decades and decades—more domestic energy production and less reliance on imported oil than we have seen in decades and decades. So let's not attack President Obama for not working to ensure that we have the

domestic capacity here at home to produce energy, because we are producing it from all sources.

The other point I wish to make is that my friends on the other side are ignoring the facts. The facts are that for every $1 to $3 that will be invested in clean utilities, we get back $9 in benefits. The Presiding Officer has spoken on this quite often, and the fact is there are many benefits to doing this.

The other point I wish to make—which is very important—is that one-half of our coal-fired powerplants have already made these important technology upgrades. That is wonderful news. Why would we reward companies that haven't done what these others have done, that are continuing to spew forth the most dangerous chemicals? The list of them goes on and on. But we are talking about mercury, we are talking about arsenic, lead, and formaldehyde. I will get into that, but if we allow this congressional resolution to pass, why would we be rewarding the most recalcitrant utilities that are not cleaning up when the technology is clearly there?

There is a cost-benefit ratio. Our kids will breathe better. Later on tonight, I will spell out how many deaths will be avoided, how many asthma attacks will be avoided. We hear a little coughing in the Chamber today. That is the sound, unfortunately, we hear in classrooms all over this country. If we go into a classroom and we ask how many kids have asthma, one-third of the kids will raise their hand. If we say: How many of you know someone with asthma or have asthma yourself, half the kids will raise their hand.

So this isn't benign. What my colleague is doing is essentially pushing forward a resolution that would stop the Environmental Protection Agency from doing its job that we asked them to do 20 long years ago when we passed the Clean Air Act amendments.

It is my privilege to yield up to 15 minutes to Senator LAUTENBERG, followed by the Presiding Officer, Senator WHITEHOUSE.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank Senator BOXER for her leadership in resisting these attempts to be able to permit companies to continue to pollute the air, a risk to our children, and marshaling the forces to say no to this.

I feel this may be a lesson I learned when I was in business school at Columbia: If we spend money here, we might save it there. But if we don't spend it, we are liable to lose something—a child, the child's ability to function. What kind of a proposition are we looking at? This isn't an accounting exercise. We are talking about the well-being of our children.

I will say, we may have disagreements between our sides, but I believe Republicans care as much about their kids on their side as we do on ours. But in this debate, they would say they have to take care of the power companies and permit them to emit poisonous ingredients into the air. So I think the sentence would be more completely said: Rather than take advantage of protecting our children, we would rather continue the profit buildup. It is preposterous when we think about it.

We have to continue the standards for powerplants that emit mercury pollution, which is brain poison for our children. We have to make sure we don't relinquish and permit this contagious material to continue to be put into the air.

Under the proposal of our friend from Oklahoma, Senator INHOFE, companies should be free to spew toxic air pollution out of their smokestacks, regardless of whether it goes into neighborhoods where our children play or in the path of their exercise and games.

This is a picture we would see. We have all seen it at different times in our lives. But we have learned something over the years. We have learned we can reduce this threat that comes out of these smokestacks.

We have a devil of a time in the State of New Jersey because it is from States to the west of us from which we get much of the pollution in our communities. Even if we had a State's option, fully, we couldn't do much about it if our neighbors to the west permit their companies to emit poisons into the air.

The standards Senator INHOFE wants to overturn—the Clean Air Act amendments—were approved by Republicans and Democrats over 20 years ago, in 1990. Most Americans would be disappointed to learn that powerplants have been free to put unlimited amounts of mercury into the air that our children breathe. After years of delay and dirty air, the new standards will finally require powerplants to cut mercury pollution. Mercury is a highly toxic brain poison. Even in low doses, mercury can cause damage to fetuses and infants that permanently affect the child's development.

Every year, 630,000 babies are born with unsafe levels of mercury in their blood. Let's be clear about what this means. Mercury is poison, and children are being born with it coarsing through their veins. These children suffer from brain damage, learning disabilities, hearing loss. The mercury they are born with can damage their kidneys, liver, and nervous systems.

The powerplants that spew mercury also emit pollutants that trigger asthma attacks. Unfortunately, I have had the ability to see a child with an asthma attack. It happens to be my grandson. When he is gasping for air, if someone said: How much would you pay to relieve your grandson of the gasping or the trauma that comes with that kind of condition, there is no cost that would be too much. Anyone who has seen an asthmatic child wheeze and struggle to breathe knows we would do anything in our power to prevent asthma attacks.

EPA standards prevent 130,000 asthma attacks from occurring each year. Imagine that. We are protecting 130,000 asthma attacks from occurring to our kids every year. So why are Republicans proposing to erase limits on mercury pollution? We already know EPA's new standards will save and improve lives.

EPA estimates this rule would prevent 130,000 asthma attacks, 4,700 heart attacks, and up to 11,000 premature deaths. What kind of a calamity is worse than that? There isn't any. Heaven help those families who are tortured by learning that the problems they have for their children's school accomplishments could have been avoided and for every $1 we spend to reduce pollution, we get $3 to $9 in health benefits. A child with pollution in her body is set back from day one and is going to carry that disability for her full life.

The polluters ignore the cost to American families. These companies think their right to pollute is more important than our kids' right to breathe. I can't believe they are willing to risk the health of a baby in their home or their grandchildren's home.

They say that cleaning up their act will cut into their profits, but we know clean air isn't just good for our health; it can be good for business. For proof, we look no further than in my State of New Jersey and our largest utility, Public Service Electric & Gas. They invested $1.5 billion to upgrade their powerplants. PSE&G cut emissions of mercury and acid gases by 90 percent or more, and they created more than 1,600 new jobs in the process. That is the real picture. That is what happens. It is clear what this resolution, as proposed, would do. It would effectively kill any EPA action to reduce mercury now or in the future. It is unacceptable.

I say to those people who come from coal States: Clean up the air. Spend the money. You are going to spend it one way or another. Wouldn't you rather spend it on doing something that is positive for the environment rather than risking your child's health? I think there is no comparison.

We had an unfortunate incident in my family. I had a sister who was asthmatic. When she traveled, she always carried a respirator that she could plug into a cigarette lighter, and if she started to feel uncomfortable from beginning to wheeze, she could put this on and her breathing would clear up. She had been elected to the school board.

She was at a school board meeting and she felt an attack coming on. She got up to go to her car in the parking lot to get some relief from her inability to breathe. She collapsed in the parking lot and 3 days later she expired. She was 53 years old.

What is the price of a life? This was an adult. What about the life of a child, and we compare it to the costs? That is all we have heard about. The other side sounds like a bunch of accountants

when they talk about how much will this cost. How much does it cost for a child who can't learn? How much does it cost to live life with a child whose body is impaired and they can't function? What is the cost?

The cost can't be explained in dollars. The cost is: What is right in our society? Do we have the obligation to try and protect the children who live in our country? I think so. Let the companies figure out ways to improve the quality of their air emissions. It is pretty simple. If they do, the problem can be solved. But to say no, no, this will cost too much—I think of a schoolyard full of little kids and I say I would like to ask them: What is it worth to see these little kids sing ring-around-the-rosie, and be happy compared to saying to the company, no, your job is to clean up your act. You have time to do it but you must do it. You cannot avoid it any longer.

It is clear what this resolution would do. It would effectively kill any EPA action to reduce mercury now or in the future. That is unacceptable. I say to my colleagues: Defeat this measure. Look at your children, look at your grandchildren, and say to yourself: What will I do to protect her; to protect him; to hear their voices nice and clear; to see them learning; to see them growing?

What is more important, to protect the powerplant that wants to emit more poisonous air and refuses to do its share? They are going to do it one way or the other. Look at your children. Look at your grandchildren. I urge my colleagues to defeat this measure.

I yield the floor.

The PRESIDING OFFICER (Mrs. BOXER). Under the previous order, Senator WHITEHOUSE of Rhode Island is recognized for up to 15 minutes.

Mr. WHITEHOUSE. Madam President, it is one thing to say things and it is another to say things that are true. Let us review some of the things that have been said on the floor of the Senate today in the context of this discussion.

One of my colleagues said that this rule, which will for the first time require our powerplants to meet mercury emission standards that other industries have had to meet, and have successfully met for years, is now coming on, to use his words, ''too far and too fast.''

The Clean Air Act was passed 30 years ago and, specific to this, in the year 2000 EPA began the process that has culminated in this rule determining that it would be appropriate and necessary to have a rule on this kind of hazardous air pollution being emitted by powerplants. Here we are in 2012 and we are being told that it is too fast that utilities are obliged to comply with a program that was first announced as appropriate and necessary in the year 2000. It would seem to me that a dozen years' notice is enough, particularly where other industries have already met these standards.

On that note, the same colleague said that compliance with these standards is ''nearly impossible.'' It is obviously not nearly impossible if other industries have already complied with the standard with which the electric utility industry is being asked to comply. More specifically, this rule sets the mark at a level where the highest performing 12 percent of emitters already are. They are already there. So it is not a question of compliance being nearly impossible. Compliance is actually already achieved by the good-behaving and responsible utilities that have put the technology to work to clean up their exhausts.

I have a letter that I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. WHITEHOUSE. In this letter, 16 of my colleagues, led by myself and the distinguished Chair of the Environment and Public Works Committee, BARBARA BOXER, wrote to the President supporting this rule. We described, for one thing, a utility called Constellation, which has invested to add environmental controls and a new scrubber to its Brandon Shores facility in Maryland, cutting mercury emissions by 90 percent. Also, in addition, it created 1,385 jobs at peak construction, not counting the many more jobs manufacturing those clean air technologies. So this is not ''nearly impossible,'' this is being done regularly.

The other remark that was made by this colleague is that the country does not support EPA on this. To the contrary, actually, public health groups and officials across the country support this: the Academy of Pediatrics, the Association of Respiratory Care, the Heart Association, the Lung Association, the American Nurses Association, the Public Health Association, the March of Dimes—it is a considerable number of public health supporters.

If you want to go beyond the public health community, it is interesting to note that the faith community is very actively supporting our position, everything from the Evangelical Environmental Network to the Evangelical Lutheran Church in America, to the General Baptist Convention of Texas, to the National Council of Churches USA, to the Jewish Council on Public Affairs, to the U.S. Conference of Catholic Bishops, and the United Methodist Church. To say that America does not support the EPA I think is to take a very constricted view of America. Perhaps the occupants of the electric utility boardrooms in America would be more precise.

Some of the folks who support this, interestingly, are not just health groups, but they are the electric utilities themselves. Half of the fossil fuel electric generation in the country is controlled by electric utilities that support the EPA rule. Let me read some examples from this same letter.

The chairman, president and CEO of Wisconsin Energy said, ''We really see very little impact on customer electric rates or our capital plan between now and 2015 as a result of all the new EPA regulations that have been proposed . . . . '' Very little impact.

The Senior Vice President of Energy Policy at Seminole Electric Cooperative indicated, ''If the EPA adopts a mercury role as currently proposed, Seminole would already be meeting that standard.'' So much for it being almost impossible.

Duke Energy's CEO noted, ''I think 3 years is doable,'' not too fast, doable as a compliance timeline. And the CEO of PSEG stated, ''We are also well-positioned to meet the anticipated requirements under EPA's . . . regulation.'' ''We believe these regulations are long overdue.'' Not coming too fast, ''long overdue.''

''Our experience shows that it is possible to clean the air, create jobs and power the economy, all at the same time.''

Another one of my colleagues said that higher electric bills should be measured, on the one hand, against the negligible benefits on the other hand. That was a theme that a number of colleagues adopted.

Another one said this was all costs, no benefits.

A third said this bill fails to find the proper balance between cost and benefit. And a fourth said this rule would be ''hammering our economy, in effect a tax increase.''

What are the facts? The facts are that although the rule will cost $9.6 billion to implement, because there is better health, because there are beneficial effects of not polluting our country with all of these dangerous chemicals, the benefits are between $37 and $90 billion; $9 billion in costs, $37 to $90 billion every year in savings, in benefit to our economy. On the whole, this is a huge economic win for the country. The only place where it is a problem is, again, in the boardrooms of the electric utility companies that have not been good citizens, that have not put the scrubbers on, that are trailing the rest of the industry and do not want to be forced to catch up to where other industries, and half of their industry, now is.

If you want to move off, as Senator LAUTENBERG so movingly did, the accounting of this $9 billion in cost versus $37 billion to $90 billion in benefits, there are the 11,000 lives that will be saved every year. You cannot put a price on a human life. This will save them.

The last point is that the distinguished ranking member of the Environment and Public Works Committee described a relentless war, and what he was referring to is an imagined war by the Obama administration against the

coal industry. I think if there is a relentless war out here, and I am speaking now as a Senator from Rhode Island, it is a relentless war of these polluting coal plants against the northeastern States in particular, my State in particular, that carries the burden of all the fallout of that exhaust and that pollution that they do not bother to treat at the source so it lands in our State.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the resolution in support of the EPA mercury and air toxic standards for powerplants that was adopted by the U.S. Conference of Mayors.

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

(See exhibit 2.)

Mr. WHITEHOUSE. I will not read the whole thing. Let's just read the concluding paragraph:

> Now, therefore, be it resolved that the U.S. Conference of Mayors strongly supports the EPA's issued Mercury and Air Toxics Standards for Power Plants.

There were no Federal standards for mercury until now for our powerplants. You would think we should have done this by now but—yes, we should have done it by now but at least we are here. At least we will achieve the benefits of $1 in cost for $3 to $9 in savings and in benefits to Americans. We should be celebrating this sensible and yet significant public health achievement.

Instead, we are engaged in a debate that I think is confounded, on their side—their arguments are confounded by the actual facts.

The benefits are staggering, in addition to the 11,000 lives saved, 4,700 fewer heart attacks, 130,000 fewer cases of children suffering asthma attacks, 5,700 fewer emergency visits each year.

Let me close by mentioning one specific. Mercury is a neurotoxin. The reason that people use the phrase ''mad as a hatter'' is because hatters, making hats, used mercury and mercury poisoned them, made them mad, affected their brains. It is a neurotoxin.

That affects Rhode Island quite considerably. First of all, we are a State that is downwind. Every Rhode Islander has heard, as we drive into work on a bright summer weekday morning, the radio warning: Today is a bad air day in Rhode Island; children, people with breathing difficulties, seniors should stay indoors today in their air conditioning.

It is a beautiful day. People have a right to be out of doors on a beautiful day. They should be celebrating, playing, picnics, going to the beach. But, no, stay indoors because there is ozone pollution settling on us from the powerplants.

In addition, the mercury comes in and that creates a different set of harms in Rhode Island. One harm is that small children should not eat any freshwater fish in Rhode Island, according to our health department. Here is a wonderful Norman Rockwell picture, sort of an emblematic American scene, grandfather is taking his grandson fishing. The excitement as the fish comes up out of the pond—that image in Rhode Island is shattered by the fact that this small child would not be allowed to eat any freshwater fish that he caught with his grandfather because of this mercury pollution that has bombarded us by these out-of-State powerplants that did not clean up their act.

Furthermore, no one in Rhode Island should eat more than one serving of freshwater fish caught in our State each month, so if the grandfather caught two fish, he could eat one, for a month, but he should not eat the other because of the health effects of the mercury that has piled up in the bodies of the fish.

There are some bodies of water that seem to be more in the gunsights of these polluting dirty Midwestern powerplants than others for reasons that nobody can explain. But Quidnick Reservoir, Wincheck Pond, and Yawgoog Pond in Rhode Island—no one should ever eat any of the fish caught in those three bodies of water because of the mercury poisoning. So when we talk about every dollar a utility will spend to clean up its pollution being offset by $3 to $9 in benefits, that figure doesn't take into account these intangible benefits. It doesn't take into account the intangible benefit of being able to enjoy the emblematic American pastime of taking your grandson or going with your grandfather to go fishing in a pond, to be able to catch something, bring it home, fry it up, and have it for supper. The utility polluters get to wreck that for free in this equation, but we should not forget it in this Chamber.

There are many aspects of the American way of life that should not yield to the bottom line of those polluters that are not willing to meet the same rules that so many of their colleagues already do and that so many industries already do.

EXHIBIT 1

U.S. SENATE,
WASHINGTON, DC,
December 16, 2011.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Respectfully, we urge the Administration to finalize the Utility Air Toxics Rule as scheduled on December 16, 2011, and to adhere to the compliance schedule set forth in Section 112 of the Clean Air Act. Our nation has waited far too long for a federal limit on mercury and other hazardous air pollution emitted by power plants.

The electric utility industry has been on notice for a decade that the EPA intended to limit its hazardous air pollution. In 2000, the EPA determined it was ''appropriate and necessary'' to set hazardous air pollution standards for power plants, based on the serious health effects of this pollution. Power plants are the biggest emitters of mercury, a neurotoxin that can stunt cognitive development in children and infants. Power plants are also significant emitters of toxic metals—for instance, they emit 62% of all such arsenic pollution in the air we breathe—and acid gases such as hydrochloric acid which can cause respiratory tract ailments and fluid buildup in the lungs. The rule is expected to save up to 17,000 lives per year by cutting this pollution.

Plants in 17 states have begun to control for mercury pollution. These projects protect public health, and demonstrate that updating our energy infrastructure triggers investment in new technologies and the creation of tens of thousands of jobs. Consider: Constellation invested $885 million to add environmental controls and a new scrubber to its Brandon Shores facility in Maryland, cutting mercury emissions by 90 percent. This investment created 1,385 jobs at peak construction, and many more jobs manufacturing the clean air technologies; PSEG retrofitted two of its coal facilities and installed scrubbers, creating 1,600 construction-related jobs over two years, and 24 permanent jobs; and AEP retrofitted one of its coal facilities and created more than 1,000 construction-related jobs building a scrubber, and 40 permanent jobs in operations.

AEP CEO Michael Morris said this year that when a utility retrofits a plant to comply with the Clean Air Act, ''jobs are created in the process—no question about that.'' Good environmental policy is good economic policy, as the jobs numbers—and the United States' $11 billion trade surplus in environmental technologies—demonstrate.

Most electric utilities in this country are ready for this rule. Indeed, operators of half of the fossil fuel electric generation in this country have gone on record on this point. For instance:

The Chair, President and CEO of Wisconsin Energy noted that, ''We really see very little impact on customer electric rates or our capital plan between now and 2015 as a result of all the new EPA regulations that have been proposed. . . .''

The Senior Vice President of Energy Policy at Seminole Electric Cooperative, Inc., indicated that ''If the EPA adopts a mercury rule as currently proposed, Seminole would already be meeting the standard.''

Duke Energy's CEO noted that ''I think three years is doable'' as a compliance timeline for the Utility Air Toxics Rule.

The CEO of PSEG stated that, ''We are also well-positioned to meet the anticipated requirements under EPA's HAPs/MACT regulation, which is scheduled to be issued on December 16. We believe these regulations are long overdue. Our experience shows that it is possible to clean the air, create jobs and power the economy, all at the same time.''

Some utilities, however, are arguing that this rule will compromise their ability to provide reliable service. We do not believe the facts support this argument. Earlier this month, your Department of Energy released a report finding that even under the most conservative assumptions, utilities could comply with both the Transport Rule and the Utility Air Toxics Rule while providing adequate electric power in each region of the country.

Meanwhile, new generation capacity is being built. Over the next four years, utilities are constructing nearly 78 GW of new capacity, including about 38 GW of natural gas. Natural gas prices are dropping rapidly, driving both the construction of new gas-fired plants and the utilization of existing gas capacity. These gas plants are starting to outcompete inefficient coal units on price alone, separate and apart from any Clean Air Act rules.

If localized reliability issues emerge, or if a unit needs more time to comply with the Utility Air Toxics Rule, current law and long-standing practice provide off-ramps on a case-by-case basis. Upon request, EPA and

the states may grant a unit a fourth year to comply. If the unit needs more time to install controls, or if it plans to retire but needs to stay online to ensure reliability, EPA may enter into legally binding agreements with the utility to provide that necessary time.

Given that so many utilities are well-positioned to comply with the Utility Air Toxics Rule, and the flexibility afforded particular units, there is no reason for an across-the-board delay of this important public health measure. We applaud the work that EPA has undertaken to limit dangerous air pollution from power plants, and urge the Administration's approval of a final rule to be in place by December 16, 2011.

Sincerely,

SHELDON WHITEHOUSE.
PATRICK J. LEAHY.
JOSEPH I. LIEBERMAN.
PATTY MURRAY.
FRANK R. LAUTENBERG.
BENJAMIN L. CARDIN.
JEANNE SHAHEEN.
KIRSTEN E. GILLIBRAND.
BARBARA BOXER.
JOHN F. KERRY.
DANIEL K. AKAKA.
MARIA CANTWELL.
ROBERT MENENDEZ.
BERNARD SANDERS.
JEFF MERKLEY.
RICHARD BLUMENTHAL.

EXHIBIT 2

IN SUPPORT OF EPA MERCURY AND AIR TOXICS STANDARDS FOR POWER PLANTS

Whereas, mayors recognize that mercury pollution, the majority of it coming from coal-fired power plants, represents a particularly widespread threat to families nationwide; and

Whereas, in 1990, 3 industry sectors made up ⅔ of the total mercury emissions in the nation including Medical Waste Incinerators, Municipal Waste Combustors (Waste-to-Energy); and Power Plants; and

Whereas, The first two sectors have already had to comply with mercury and air toxics rules and have reduced their mercury emission by 95%; and

Whereas, the technology to retrofit these facilities already exists and is being utilized in the other two industries; and

Whereas, because of local mercury contamination, all 50 states have fish consumption advisories in place to warn residents of the potential health effects of eating fish caught from area waters; and

Whereas, mercury poses a particular threat to vulnerable populations such as pregnant women and small children; and

Whereas, mercury is a potent neurotoxin that affects a developing child's ability to talk, walk, read and write, and in addition to learning disabilities, in utero exposure can result in severe birth defects such as blindness, deafness and cerebral palsy; and

Whereas, EPA's analysis projects that the annual cost to the regulated industry for the year 2016 (the first year in which EPA expects the standards to be fully implemented), would be $9.6 billion and the aggregate benefits for that year would be between $37–$90 billion; and

Whereas, for every dollar spent to reduce this pollution, Americans get 3–9 dollars in health benefits; and

Whereas, the Environmental Protection Agency (EPA) projects that the new Clean Air Act protections from reduced mercury and air toxics will save citizens as much as $90 billion annually when fully implemented through lower health care costs. Each year, this translates into as many as 11,000 lives saved, 4,700 heart attacks and 130,000 asthma attacks prevented, and 5,700 hospital visits avoided; and

Whereas, the benefits are widely distributed and are especially important to minority and low income populations who are disproportionately impacted by asthma and other debilitating health conditions; and

Whereas, clean, healthy air and water are fundamental American rights,

Now, therefore, be it Resolved that the U.S. Conference of Mayors strongly supports the EPA's issued Mercury and Air Toxics Standards for Power Plants (MATS).

Mr. WHITEHOUSE. I yield the floor. I suggest the absence of a quorum

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mrs. BOXER. I wish to thank the Presiding Officer very much for taking the Chair again and for his beautiful statement. I thought the Senator definitely debated the issue and took apart the argument that my Republican friends made against a rule that is widely supported by the American people. The Senator cited some of the amazing organizations. I will do that again tomorrow in the debate.

Just for the sake of the folks who are still working here tonight, I don't plan to go much more than 5 minutes. It has been a very long day for everyone who works here and I respect that.

It is not only these amazing groups that are with us that want us to defeat this very dangerous resolution—my colleague named some of them—the American Nurses are among those who understand what health care is about. They see people struggling to find a breath when they come in with these attacks. Also, religious organizations recognize we are only as good as the weakest among us. As Senator LAUTENBERG pointed out so eloquently, it is our kids who get the real impact of this many times as well as adults.

What I wish to do in closing out the debate tonight—and we will have another hour of debate tomorrow—is just run through a few charts that tell the tale. The first one is: What does this resolution do? Because I know people may be following us and saying: What exactly do Senator INHOFE and his colleagues want to do? They want to repeal the rule that is about to go into place and block the Environmental Protection Agency from implementing the first-ever national mercury and air toxics standards for powerplants. These powerplants are giving off these poisons, and these poisons are going into the air.

In the case of mercury, we wind up poisoning fish, which was such a great part of my colleague Senator WHITEHOUSE's presentation. So poisons are being spewed into the air from these powerplants.

In 1990, by a vote of 89 to 10 and in the House 401 to 25, we passed the Clean Air Act. Those were the amendments. It was signed by George Herbert Walker Bush. More than 20 years later, we have a court order because we didn't do what we were supposed to do. Now President Obama is doing the right thing to protect the people by moving forward with this first-ever national standard. We have to defeat this push to stop the Obama administration from doing what we wanted done since 1990 and what we wanted the then-EPA to do and it has taken this much time to get it done. Just as we are on the brink of getting this protective rule, which is so cost-efficient—for every $1 to $3, we save $9—they want to turn it around.

What is at stake? There are 4,200 to 11,000 additional premature deaths. So when people say what we do doesn't matter, I say look at this. If this rule is repealed, more people will die prematurely. We will have 4,700 heart attacks, 130,000 cases of childhood asthma symptoms, 6,300 cases of acute bronchitis, 5,700 emergency room visits and hospital admissions, 540,000 days of missed work due to respiratory illness. Again, it is $3 to $9 in benefits for every $1 invested in the powerplants, one-half of which have already done the right thing. Half the coal powerplants have done this already. So we are talking about ensuring that the rest of them do the same.

Many companies have addressed their mercury and air toxic emissions. We should thank the coal companies that have already cleaned up their act, not reward those that have delayed in installing the pollution-control equipment. Anyone on the other side who says there is no pollution-control equipment that is available and this can't be done and it is going to result in increased electric utility rates should listen to the facts. They should talk to the people who already installed these important mechanisms. They created jobs doing it, and as far as electricity prices, there was no impact.

I talked about the jobs that are provided. When we clean up these utilities, there will be 8,000 long-term jobs and 46,000 short-term jobs. It is actually a jobs bill when we clean up to current standards.

What poisonous emissions does the clean air rule address? I think this is basically where I am going to end it. I am going to mention these things, and they sound scary because they are. Mercury and lead, this is what we are asking them to clean up, and my colleagues say, no, keep on polluting. Mercury and lead damages the nervous system of children and harms the brains of infants. Arsenic sound scary? It is. It causes cancer and damages the nervous system, kidneys, and the liver. My Republican friends say: Oh, it is OK. Who cares? We should all care. How about selenium? It harms the reproductive system of wildlife. Other heavy metals such as cadmium and chromium cause cancer and harm vital organs. Benzene causes cancer and

damages immune and reproductive systems. How about this one, formaldehyde. It sounds scary. It is scary. It is a carcinogen, and that means it causes cancer—no question about that. Acid gases sound scary? They are scary. They damage the heart, the lungs, and the nervous system. Imagine breathing in acid gases and what that does to our pulmonary system. Toxic soot pollution causes respiratory illness, including asthma attacks, chronic bronchitis, heart attacks, and premature death.

Tomorrow I will go into these in greater detail. It is just a rhetorical question, but why would anyone in their right mind stand in the way of cleaning up these poisons. They say it costs too much. No, it doesn't because the companies that already did it say it is working. For every $1 we invest, we save $3 to $9. So it doesn't cost too much. Is it just about doing business as usual? That is fine if all we are doing is something that is benign. This is not benign.

My colleague Senator INHOFE attacked the President and said our President is stymieing domestic energy production when we have the opposite truth. We have seen a tremendous increase in domestic energy production under this President, more than we have seen for decades. So don't blame this President and say he is trying to stymie domestic energy production. He has embraced an all-of-the-above strategy.

Mr. President, I ask unanimous consent to have printed in the RECORD a paper entitled ''Develop and Secure America's Energy Supplies.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEVELOP AND SECURE AMERICA'S ENERGY SUPPLIES—EXPAND SAFE AND RESPONSIBLE DOMESTIC OIL AND NATURAL GAS DEVELOPMENT AND PRODUCTION

''All these actions can increase domestic oil production in the short and medium term. But let's be clear—it is not a long-term solution''—President Obama, March 11, 2010.

THE CHALLENGE

America's oil and natural gas supplies are critical components of our Nation's energy portfolio. Their development enhances our energy security and fuels our Nation's economy. Recognizing that America's oil supplies are limited, we must develop our domestic resources safely, responsibly, and efficiently, while taking steps that will ultimately lessen our reliance on oil and help us move towards a clean energy economy.

Over the last two years, domestic oil and natural gas production has increased. In 2010, American oil production reached its highest level since 2003, and total U.S. natural gas production reached its highest level in more than 30 years. Much of this increase has been the result of growing natural gas and oil production from shale formations as a result of recent technological advances. These resources, when developed with appropriate safeguards to protect public health, will play a critical role in domestic energy production in the coming decades.

America's public lands and Federal waters provide resources that are critical to the nation's energy security. To encourage robust exploration and development of the nation's resources, the Administration has offered millions of acres of public land and Federal waters for oil and gas leasing over the last two years. Oil production from the Outer Continental Shelf increased more than a third—from 446 million barrels in 2008 to more than 600 million barrels of estimated production in 2010. Responsible oil production from onshore public lands also increased over the past year—from 109 million barrels in 2009 to 114 million barrels in 2010. These increases are occurring at the same time that oil imports are decreasing; for the first time in a decade, imports accounted for less than half of what we consumed.

Mrs. BOXER. It shows how U.S. crude oil production is way up under President Obama. It is way up. Over the last 2 years domestic oil and natural gas production has increased. In 2010, American oil production reached its highest level since 2003 and total U.S. natural gas production has reached its highest level in more than 30 years. How can my colleagues stand and say this President doesn't like the coal companies and is trying to push them out of business so we will have less energy production? Wrong. What he is trying to do and we are trying to do—those of us who are going to oppose the Inhofe resolution—is say we want to see coal continue, but we don't want it to spew forth—mercury, arsenic, selenium, other heavy metals, benzene, formaldehyde, acid gases, and toxic soot. It is pretty straightforward. Clean it up.

When I was a kid, my mother said: Clean your room. She said: You made a mess so clean it. I see some of the pages are smiling because their mothers say the same to them. What I found as I matured over the years is that we need to come back to some of those basics. Clean up your mess. They are making a mess. But it is not the benign mess that is in some of the bedrooms of our kids, with toys, papers, and clothes scattered around; it is dangerous toxins, and it has to be cleaned up.

Tomorrow is an important vote. I hope tonight people will think about this debate because a lot of the things we do here maybe don't have such a direct impact on people's lives. This has a direct impact. What we breathe and the fish we eat are all related to what is going to happen tomorrow. I hope we will vote no on the Inhofe resolution and allow the EPA to do its work which 75 percent of the American people support. They want clean air, they want clean water, and we want to make sure they get it without interference. Let's vote down the Inhofe resolution and move forward with clean air. I think we will all be proud tomorrow if we can defeat that resolution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

VETERAN CARDIOVASCULAR DISEASE AWARENESS

Mrs. MURRAY. Mr. President, as chairman of the Senate Committee on Veterans' Affairs, I would like to take a moment to recognize the Department of Veterans Affairs and the American Heart Association for their work to raise awareness about the dangers of cardiovascular disease amongst our Nation's women veterans and service members.

VA's dedicated work on cardiovascular disease has successfully decreased the gaps between men and women veterans in heart disease prevention outcomes. However, as cardiovascular disease remains the No. 1 killer of women, I applaud VA and the American Heart Association's ''Go Red for Women'' campaign for partnering under the First Lady's Joining Forces Initiative to raise awareness and promote prevention amongst our Nation's female veterans. I am pleased to see VA focus its efforts on educating women veterans through an online fitness and nutrition program and an online support network to connect women with other women who share similar experiences.

Today, women serve in every branch of the military. Women represent 15 percent of our Nation's Active-Duty military, and they are the fastest growing population within the veteran community. The number of women veterans is expected to increase to 2 million in 2020 and with this projected increase it is critical that VA remain responsive to the unique needs of women.

Nearly one in two women, 44.4 percent, will die of heart disease and stroke. We must ensure that women receive equal access to VA health care benefits and services. This partnership between VA and the American Heart Association is a great step toward ensuring that women are educated on the dangers of cardiovascular disease and provided with the resources necessary to prevent it.

Mr. President, I applaud the collaboration between VA and the American Heart Association to raise awareness and increase prevention efforts on an issue that affects so many of our Nation's women veterans and civilian women throughout our country.

OBSERVING WORLD REFUGEE DAY

Mr. KERRY. Mr. President. Abraham Lincoln once spoke of our Nation as the last best hope on earth. On this World Refugee Day—the 11th of its kind and the 61st anniversary of the

United Nations Convention Relating to the Status of Refugees—it is fitting that we give careful pause to remember that the responsibility attached to Lincoln's words does not end at our shores.

Across the world, refugees need our assistance and our support. They look to America's voice and leadership to champion their plight—from the dusty plains of northern Kenya to the mountainous confines of Burma, Nepal and Southwest Asia.

As we look around the world, there are, sadly, numerous refugee crises. In many cases, refugees exchange one set of dangerous conditions for overcrowded, unsanitary and even violent camps. Instability in Somalia is swelling the ranks of the world's largest refugee complex in Dadaab, Kenya, home to nearly 500,000 people. In the Sahel, more than 150,000 Malians have fled the conflict to neighboring countries, joining host communities that are already suffering from drought and hunger. To them, daily survival is a gamble.

We also know that refugees and displaced populations can be the spark for large-scale violence, and today we face that very threat from the millions displaced from homes across the Middle East. Unspeakable violence in Syria has uprooted an estimated 500,000 people inside the country and driven tens of thousands more to Jordan, Turkey, Lebanon and Iraq. Human security in Iraq continues to be a pressing concern, as our partners support hundreds of thousands of Iraqi refugees in neighboring countries and over one million internally displaced persons.

Of course, there are glimmers of hope. As Burma slowly and steadily opens its political system, we will look to the government to provide space for humanitarian action to assist those displaced by years of conflict. Have a thought for the Burmese refugee in limbo along the border with Thailand or the young ethnic Rohingya who is denied even the basic identity papers that connote official personhood. They, too, deserve our attention, compassion and support.

In South Asia, more than 5.7 million Afghan refugees have returned home in the past decade, one of the UN's most successful voluntary repatriation operations. We must celebrate this achievement, even as we renew efforts to find durable solutions for the nearly 3 million Afghan refugees scattered across the region. In Colombia, where conflict has displaced an estimated 4 million people, our partners are helping the government to provide reparations and land restitution to affected individuals and families. We also continue to support the UN Relief and Works Agency in its efforts to provide assistance to millions of Palestinian refugees in the Palestinian territories and throughout the region.

Above all, we must remember that these aren't just statistics. The plight of the world's refugee and displaced populations is a challenge to the humanity of every single one of us. Children who need proper nutrients and access to education, women who are at great risk of falling victim to gender-based violence, individuals with psycho-social needs after witnessing devastation—these realities prick our conscience from half a world away.

Mr. President: Lincoln used to say that he ''tried to pluck a thistle and plant a flower wherever the flower would grow . . . '' Despite our trying times, we should remember all those who have planted the seeds of hope and opportunity where thistles would otherwise grow, from the State Department's Bureau of Population, Refugees and Migration and its partners in the UN to international, faith-based and non-governmental organizations in the field. Let us also recognize the efforts of the organizations that provide guidance and services to give refugees resettled in the United States the opportunity to rebuild their lives here—and thank the communities across the country, including in my State of Massachusetts, who welcome them to their adoptive homes. Their legacy is ours, too. And the next chapter is waiting to be written.

ADDITIONAL STATEMENTS

REMEMBERING JOSEPH A. LESNIEWSKI

• Mr. CASEY. Mr. President, I would like to take a few moments to commemorate a great Pennsylvanian who passed away on May 23, 2012. Those who worked alongside this high-spirited citizen of Erie, PA knew him as a hard worker, those who served alongside him in World War II knew him as a selfless soldier, while others who worked with him at the United States Post Office knew him as a devoted civil servant; still, many more around the world knew this great Pennsylvanian as World War II veteran Private Lesniewski, of the 101st Airborne Division, immortalized in the book and HBO series ''Band of Brothers.'' Today I would like to commemorate and take stock of this remarkable life: Joseph A. Lesniewski, an influential and inspirational citizen of Pennsylvania.

Mr. Joseph A. Lesniewski passed away at a Veterans Affairs Medical Center at the age of 91; he was survived by his wife of 38 years, Phyllis Schindley Lesniewski; and his four daughters, two sons, two sisters, six grandchildren, and three great-grandchildren. From Mr. Lesniewki's work with General Electric, to his service in World War II, to his 37 years serving our country at the Erie Post Office, Mr. Lesniewski embodied the American spirit of dedication to country and unyielding resolve during several of our country's most trying times.

After graduating from Erie Technical High School in 1940 and faced with a battered world economy, Mr. Lesniewski joined the Civilian Conservation Corps, a New Deal Program that helped weather the Great Depression and achieve the skills necessary for a position as a tool and die maker in General Electric's Erie, PA factory. Following the bombing of Pearl Harbor, Mr. Lesniewski enlisted in the United States Army in 1942, where he served in the storied 101st Airborne Division during the momentous Battle of Normandy, Operation Market Garden, and the Battle of the Bulge. Mr. Lesniewski and his comrades were later immortalized in historian Stephen E. Ambrose's book, Band of Brothers, which illustrated the common acts of heroism displayed in World War II by our soldiers. Ambrose wrote that Lesniewski took German-grenade shrapnel to his neck while alerting his fellow comrades to take cover after he discovered a machine gun nest and an entire company of SS soldiers just yards away. Lesniewki's selfless actions led to the capture of both the machine gun nest and the company of SS soldiers. In another incident, Private Lesniewski disregarded his own safety during a German artillery barrage and marked the spot where an unexploded German shell had burrowed itself into the ground. This action helped to ensure the safety of his fellow soldiers.

After helping to keep others alive on numerous occasions, and serving as a source of strength and inspiration to the soldiers around him, Mr. Lesniewski re-entered the civilian workforce in 1945 and served for 37 years at the United States Post Office in Erie, PA. A historian and close friend of Mr. Lesniewski once said:

> Over the years I saw a thousand acts of random kindness come from him. He had a heart of gold. He never stopped giving, as he was proudly involved in numerous charitable causes in his community.

As a testament to his heroism, Senator JOHN KERRY invited Mr. Lesniewski to join him at the 2004 dedication of the World War II Memorial in Washington, DC.

As we commemorate the valiant life of Joseph Lesniewski, we should not forget that our country has survived seemingly insurmountable challenges in our history. We survived these dire times due to the dedication to country and unyielding resolve found uniquely in our citizenry, symbolized so clearly through the life of Joseph A. Lesniewski. Let us not forget the words of Abraham Lincoln at Gettysburg, ''It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.'' So then, with reflection on the life of Mr. Lesniewski, who so nobly advanced our country in both military and civilian roles, let us continue our dedication to the unfinished work before us: the work of building a better country and ensuring that the lives of our children can and will be better than that of our own.•

REMEMBERING PATRICIA RAE McCOY ROHLEDER

• Mr. CRAPO. Mr. President, today I wish to honor the life of Patricia Rae McCoy Rohleder. An Idaho native, Pat has been an integral part of the Idaho agriculture community for many years.

Pat had a remarkable 40-year career as a newspaper reporter that included many years of covering agricultural issues through the Capital Press. The value she placed on agricultural production was evident in her activity in this field. She was involved in many related efforts, including the Julia Davis Ag Pavilion project, Idaho Food Producers legislative meetings, and work on the Ag Pavilion Committee. The long list of awards and honors she received for her work includes three Conservation Writer of the Year honors from the Idaho Association of Soil Conservation Districts; two media awards from the Idaho Grain Producers Association; an Idaho Farm Bureau award for outstanding reporting of agriculture; an honorary life membership received in 2009 from the Owyhee Cattlemen's Association; and a special award for dedication and service to Idaho's agricultural industry received at the 2010 A. Larry Branen Idaho Ag Summit.

In addition to her writing, Pat had many other talents and interests including sewing, needle arts, playing the piano, and genealogy, and I understand her favorite title was ''Grandma.'' She was also an active member of the Church of Jesus Christ of Latter-day Saints.

Pat's action reflected her values. She always lived her life the way a person ought to and served as a great example to many. I extend my condolences to Pat's husband, Erwin Ralph Rohleder, her mother, Edna L. McCoy, and her many other family members and friends. Pat will be greatly missed.•

REMEMBERING PERRY SWISHER

• Mr. CRAPO. Mr. President, today I wish to honor the life and legacy of Joseph ''Perry'' Swisher. A third-generation Idahoan, Perry committed much of his life to service to our State and Idahoans.

Perry was born in Bruneau, IA, and educated at Pocatello High School, University of Idaho Southern Branch and Idaho State University. He had an extensive career as a journalist and in elected office. This included his work as the Pocatello News Bureau manager for the Salt Lake Tribune, editor and publisher of the Intermountain, and assistant managing editor for the Lewiston Morning Tribune. In the late 1960s through mid 1970s, Perry owned The Book Arcade in Pocatello. For 7 years, he served as director of special services at Idaho State University and was involved in helping low-income and minority students succeed in college. He also served as a member and president of the Idaho Public Utilities Commission, as Idaho State representative of Bannock County, Idaho State senator for Bannock County, and as a member of the Pocatello City Council. Perry received many awards and honors for his work and served on a number of boards and commissions.

His immense experience in many aspects of the communities he lived in and the State contributed to his deep understanding of Idaho and Idahoans. Perry was known for his ability to simplify complex issues and make them understandable. He was sharp and inquisitive and had a propensity for debate and thought-provoking discussions. Perry had a comprehensive knowledge and sense of Idaho history, which he was willing to share if asked. Although his political partisan affiliations were famously known to shift according to the cyclical vagaries of political thought, his own view of the world remained consistent. His view of current events, always stated in the context of Idaho history, was of enormous value to many, including to those in my office. He also had an innate kindness and fabulous sense of humor that made the lessons he delivered particularly enjoyable.

I extend my heartfelt condolences to Perry's wife of 64 years, Nicky Swisher, his children, grandchildren, great-grandchildren, and many other family members and friends. Perry was truly exceptional. His steadfast determination and efforts in support of and to better our state will always be remembered.•

TRIBUTE TO MICHAEL D. LEE

• Mr. LEE. Mr. President, today I wish to recognize the career of Police Chief Michael D. Lee, who is retiring after 34 years with the Kaysville Police Department.

Chief Lee was the eighth officer hired by Kaysville City in 1977. He started as the first school resource officer for Kaysville and rose through the ranks becoming a detective sergeant in 1988. He was subsequently promoted to lieutenant over the Patrol Services Division, and in 2007 he became the captain of the Investigative Services Division. In 2008, he was named chief of police for Kaysville City and has served the citizens honorably.

During his time at the Kaysville Police Department, Lee has helped to oversee the force's evolution into the 21st century. As new technologies have become available, Lee has pushed the department to continue to modernize, acquiring equipment ranging from advanced speed radar systems to laptops for patrol cars.

Passing the tradition of public service from one generation to another, Lee's son, Jason, has entered into his own law enforcement career. He protects the public as a patrol sergeant for the Morgan County Sheriff's office.

I join Kaysville Mayor Steve Hiatt and the local community in congratulating Michael D. Lee for his many years of dedicated service. I want to personally thank him for protecting and serving so many Utahns and bringing honor to a name that we share. His career is a testament to the accomplishments of hardworking police officers everywhere, and I congratulate him on his many achievements and 34 years of excellence.•

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a withdrawal which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:23 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 404. An act to modify a land grant patent issued by the Secretary of the Interior.

S. 684. An act to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

S. 997. An act to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1272. An act to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al., by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes.

H.R. 1556. An act to amend the Omnibus Indian Advancement Act to allow certain land to be used to generate income to provide funding for academic programs, and for other purposes.

H.R. 3668. An act to prevent trafficking in counterfeit drugs.

H.R. 4027. An act to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''.

At 2:33 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4310. An act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1272. An act to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al. by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for otner purposes; to the Committee on Indian Affairs.

H.R. 1556. An act to amend the Omnibus Indian Advancement Act to allow certain land to be used to generate income to provide funding for academic programs, and for other purposes; to the Committee on Indian Affairs.

H.R. 3668. An act to prevent trafficking in counterfeit drugs; to the Committee on the Judiciary.

H.R. 4027. An act to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''; to the Committee on Energy and Natural Resources.

H.R. 4310. An act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

MEASURES DISCHARGED

The following joint resolution was discharged pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 37. Joint resolution to disapprove a rule promulgated by the Administrator of the Environmental Protection Agency relating to emission standards for certain steam generating units.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6528. A communication from the Inspector General of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the audit of the financial statements of the Federal Trade Commission (FTC) for fiscal year 2012; to the Committee on Commerce, Science, and Transportation.

EC–6529. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Award Fee for Service and End-Item Contracts'' (RIN2700–AD70) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6530. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the Department of Transportation, Research and Innovative Technology Administration in the position of Administrator, received in the Office of the President of the Senate on June 4, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6531. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the Department of Transportation, Federal Aviation Administration in the position of Administrator, received in the Office of the President of the Senate on June 4, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6532. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Llano, Texas)'' (MB Docket No. 11–168, RM–11642) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6533. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures'' (RIN0648–BB85 and RIN0648–BB27) received in the Office of the President of the Senate on June 7, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6534. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Snapper Grouper Management Measures'' (RIN0648–BB10) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6535. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XC001) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6536. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2012'' (RIN0648–BC07) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6537. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, the report of two violations of the Antideficiency Act; to the Committee on Appropriations.

EC–6538. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methyl bromide; Pesticide Tolerances'' (FRL No. 9352–4) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6539. A communication from the Acting Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Appeal Procedures'' (RIN0578–AA59) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6540. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Chronic Wasting Disease Herd Certification Program and Interstate Movement of Farmed or Captive Deer, Elk, and Moose'' ((RIN0579–AC35) (Docket No. 00–108–8)) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6541. A communication from the Executive Vice President and Chief Financial Officer of the Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6542. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13405 of June 16, 2006, with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC–6543. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Assessment of Fees on Large Bank Holding Companies and Nonbank Financial Companies Supervised by the Federal Reserve Board To Cover the Expenses of the Financial Research Fund'' (RIN1505–AC42) received in the Office of the President of the Senate on June 14, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6544. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Revisions to the Georgia State Implementation Plan'' (FRL No. 9686–9) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6545. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Determination of Attainment of the 1997 Ozone Standard for the Western Massachusetts Nonattainment Area'' (FRL No. 9688–4) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6546. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Determination of Failure to Attain the 1-Hour Ozone Standard'' (FRL No. 9688–3) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6547. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval, Disapproval and Promulgation of Air Quality Implementation Plan; Utah; Maintenance Plan for the 1-Hour Ozone Standard for Salt Lake and Davis Counties'' (FRL No. 9683–1) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6548. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''TSCA Inventory Update Reporting Modifications; Chemical Data Reporting; 2012 Submission Period Extension'' (FRL No. 9353–1) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6549. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Dusky Gopher Frog (Previously Mississippi Gopher Frog)'' (RIN1018–AW89) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6550. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Pacific Coast Population of the Western Snowy Plover'' (RIN1018–AX10) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Environment and Public Works.

EC–6551. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2012–43) received in the Office of the President of the Senate on June 13, 2012; to the Committee on Finance.

EC–6552. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–061); to the Committee on Foreign Relations.

EC–6553. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–041); to the Committee on Foreign Relations.

EC–6554. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–026); to the Committee on Foreign Relations.

EC–6555. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health, United States, 2011''; to the Committee on Health, Education, Labor, and Pensions.

EC–6556. A communication from the Surgeon General, Department of Health and Human Services, transmitting the National Prevention, Health Promotion and Public Health Council's 2012 annual status report; to the Committee on Health, Education, Labor, and Pensions.

EC–6557. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Irradiation in the Production, Processing, and Handling of Food'' (Docket No. FDA–2007–F–0390) received in the Office of the President of the Senate on June 14, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6558. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, ''Review of HIV Program Effectiveness''; to the Committee on Health, Education, Labor, and Pensions.

EC–6559. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6560. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6561. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Office of the Inspector General's Semiannual Report for the period of October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6562. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Residency Requirements for Aliens Acquiring Firearms'' (RIN1140–AA44) received in the Office of the President of the Senate on June 14, 2012; to the Committee on the Judiciary.

EC–6563. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Firearms Disabilities for Certain Nonimmigrant Aliens'' (RIN1140–AA08) received in the Office of the President of the Senate on June 14, 2012; to the Committee on the Judiciary.

EC–6564. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Hart-Scott-Rodino Annual Report: Fiscal Year 2011''; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Edward M. Alford, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia.

Nominee: Edward M. Alford.

Post: Banjul, The Gambia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0.
2. Spouse: 0.
3. Children and Spouses: Angela Alford/Pablo Conga: 0. Sylvia Alford: 0. James C. Alford: 0.
4. Parents: William L. Alford, Sr.: 0. Eleanor G. Alford: 0.
5. Grandparents: Deceased.
6. Brothers and Spouses: Dr. William L. Alford, Jr.: 0. Byron P. Alford/Ginny Alford: 0.
7. Sisters and Spouses: Martha Morfit: 0.

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*Peter William Bodde, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Nominee: Peter William Bodde.

Post: Nepal.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Son—Christopher Bodde, $200, Fall 2008, Obama for America.
4. Parents: William Bodde, Jr., $200, 9/22/08, Obama for America.
5. Grandparents: none.
6. Brothers and spouses: none.
7. Sisters and spouses: none.

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*Piper Anne Wind Campbell, of the district of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mongolia.

Nominee: Piper Anne Wind Campbell.

Post: Ambassador to Mongolia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1,000, 8/13/2008, Obama for America.
2. Spouse: none.
3. Children and spouses: none.
4. Parents: Gay Campbell, none; David Campbell, $1,000, 10/13/2010, DNC Services Corp; $2,500, 5/14/2011, Kathy Hocul for Congress; $1,000, 12/02/2009, Citizens for Alen Khazei; $1,000, 11/02/2008, Obama for America.
5. Grandparents: Neil Campbell—deceased; Gertrude Campbell—deceased; Ed Wind—deceased; Amelta Wind—deceased.
6. Brothers and spouses: Todd Campbell, none; Alicia Campbell, none; Skip Campbell, none; Christina Campbell, none.
7. Sisters and spouses: April Cyr, none; Kris Cyr, none.

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*Dorothea-Maria Rosen, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia.

Nominee: Dorothea-Maria Rosen.

Post: Micronesia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and spouses: Dory Schachner (daughter-in-law), $20, 2010, DNC.
4. Parents: none.
5. Grandparents: none.
6. Brothers and spouses: none.
7. Sisters and spouses: none.

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*Mark L. Asquino, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to

be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Nominee: Mark Asquino.

Post: Equatorial Guinea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $75, 6–30–11, DNC.

3. Children and Spouses: None.

7. Sisters and Spouses: None.

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*Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Nominee: Michele J. Sison.

Post: U.S. Ambassador to the Democratic Socialist Republic of Sri Lanka and the Republic of Maldives.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: Michele J. Sison: 0.

2. Spouse: None.

3. Children and Spouses: Alexandra K. Knight: 0; Jessica K. Knight: 0.

4. Parents: Pastor B. Sison: 0; Veronica T. Sison: 0.

5. Grandparents: Deceased.

6. Brothers and Spouses: No brothers.

7. Sisters and Spouses: Victoria Sison Morimoto and Miles Morimoto: Miles Morimoto: $100, 2008, ''Organizing for America'' Democratic Party website; Cynthia Sison Morrissey and Patrick Morrissey: Cynthia Sison Morrissey for National Democratic Party: 2008–$150, 2009–$50, 2010–$50, 2011–$50.

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*Douglas M. Griffiths, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

Nominee: Douglas Griffiths.

Post: Mozambique.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self—Douglas Griffiths: None.

2. Spouse—Alicia Griffiths: None.

3. Children and Spouses: Helen Griffiths: None, Claire Griffiths: None.

4. Parents: Richard R. Griffiths: $50, 2/5/11, National Republican Congressional Committee; $50, 2/5/11, Republican National Committee (RNC); $50, 1/29/10, RNC; $50, 3/8/09, RNC; $50, 2008, RNC; $50, 2007, RNC. Alma Griffiths: Joint account with spouse Richard Griffiths.

5. Grandparents: Helen Mackin—Deceased, James Mackin—Deceased, Louise Griffiths—Deceased, Richard Griffiths—Deceased.

6. Brothers and Spouses: Richard R. Griffiths, Jr.: None; Louise Tharrett (spouse): None; Gregory Griffiths: None; Sarah Griffiths (spouse): None.

7. Sisters and Spouses: None.

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*Jay Nicholas Anania, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Nominee: Jay Nicholas Anania.

Post: U.S. Ambassador to Suriname.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Lourdes Bernal Anania: None.

3. Children and Spouses: Nicholas E. Anania (19): None. Michael A. Anania (16): None.

4. Parents: Joan Marilyn Anania: None. Edward Patrick Anania: None.

5. Grandparents: All deceased more than twenty years. I have no knowledge of any political activity by any of them.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Jill Francesca Anania: None. Dale Alison Anania: $50 (estimated), 2008, Obama for America.

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*Susan Marsh Elliott, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tajikistan.

Nominee: Susan Marsh Elliott.

Post: Tajikistan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount:

1. Self: 0.

2. Spouse: 0.

3. Children and Spouses: 0

4. Parents: 0.

5. Grandparents: 0.

6. Brothers and Spouses: 0.

7. Sisters and Spouses: 0.

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*Timothy M. Broas, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

Nominee Timothy M. Broas

Post U.S. Ambassador to the Kingdom of the Netherlands

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: $1000, 1/4/08, NH Democratic Party; $700, 2/14/08, Democratic Party of Virginia; $2,300, 4/15/08, Becerra for Congress; $2,300, 4/23/08, Joe Garcia for Congress; $500, 6/18/08, Friends of Jay Rockefeller; $250, 6/18/08, Musgrove for U.S. Senate; $1,000, 6/18/08, Patrick Murphy for Congress; $1,000, 6/25/08, Kissell for Congress; $1,000, 6/26/08, Democratic Congressional Campaign Committee; $1,300, 6/30/08, Patrick Murphy for Congress; $5,000, 7/1/08, Campaign for Our Country; $28,500, 7/25/08, Obama Victory Fund; $28,500, 7/25/08, DNC via Obama Victory Fund; $2,400, 3/2/09, Friends of Byron Dorgan; $2,400, 3/31/09, Patrick Murphy for Congress; $500, 9/17/09, Friends of Patrick Kennedy Inc; $500, 10/27/09, Campaign for Our Country; $15,200, 2/3/10, Democratic National Committee; $1,000, 2/28/10, John Kerry for Senate; $1,000, 6/22/10, John Kerry for Senate; $500, 6/22/10, Friends of Schumer; $15,200, 7/30/10, Democratic National Committee; $2,400, 8/9/10, Bennet for Colorado; −$25, 8/16/10, Democratic National Committee; $1,000, 9/30/10, Alexi for Illinois; $1,000, 9/30,10, Perriello for Congress; $2,400, 10/25/10, Patrick Murphy for Congress; $2,800, 12/22/10, John Kerry for Senate; $35,800, 4/8/11, Obama Victory Fund; $30,800, 4/8/11, Democratic National Committee, via The Obama Victory Fund; $5,000, 4/8/11, Obama for America; $2,500, 5/2/11, Kaine for Virginia; $1,000, 5/14/11, Campaign for Our Country 2012; $2,500, 5/12/11, Klobuchar for Minnesota; $1,500, 5/25/11, Montanans for Tester; $2,500, 6/17/11, Setti Warren for Senate; $2,500, 11/30/11, Kaine for Virginia; $1,000, 3/6/12, Friends of John Delaney; $2,500, 3/27/12, Andrei for Arizona; $1,000, 3/28/12, Elizabeth for MA Inc.; $1,000, 3/29/12, Hoyer's Majority Fund; $2,500, 3/28/12, Joseph Kennedy III for Congress; $30,800, 3/31/12, Obama Victory Fund; $30,800, 3/31/12, Democratic National Committee, via The Obama Victory Fund;

2. Spouse: None.

3. Children: Emily Broas $2,300, 1/31/08, Obama for America; $2,500, 10/12/11, Obama for America, via Obama Victory Fund 2012;

4. Parents: None.

5. Grandparents: None.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Robert Emmett: $28,500, 9/30/08, Obama Victory Fund; $1,930, 9/30/08, Obama for America Via Obama Victory Fund; $26,569, 9/30/08, Democratic National Committee via Obama Victory Fund; −$28,500, 10/7/08, Democratic National Committee; Pauline Emmett: $250, 4/10/08, Democratic Party of Virginia; $28,500, 12/4/08, Obama Victory Fund.

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*Richard L. Morningstar, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

Nominee: Richard Louis Morningstar.

Post: Azerbaijan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1,000.00, 5/20/2008, Bobby Scott for Congress; $5,000.00, 7/31/2008, Democratic Senatorial Campaign Committee; $4,600.00, 7/31/2008, Obama Victory Fund; $2,300.00, 8/28/2008, Friends of Hillary; $500.00, 10/08/2008, Friends of Scott Harper; $250.00, 10/24/2008, Paul Hodes for Congress; $250.00, 10/24/2008, Wulsin for Congress; $2,300.00, 11/04/2008, Barney Frank for Congress Committee; $2,400.00, 3/24/2010, Barney Frank for Congress Committee.

2. Spouse: Faith P. Morningstar: $33,100.00, 7/31/2008, Obama Victory Fund; $2,400.00, 1/17/2010, Martha Coakley for Senate Committee; $30,400.00, 4/6/2010, Democratic National Committee; $2,300.00, 8/28/2008, Friends of Hillary; $2,400.00, 10/13/2010, Barney Frank for Congress Committee; $35,800.00, 4/7/2011, Obama Victory Fund 2012; $1,000.00, 5/19/2011, Kaine for Virginia; $1,000.00, 6/25/2011, The Niki Tsongas Committee; $2,500.00, 9/30/2011, Elizabeth for MA INC.

3. Peter Morningstar (son): None. Jill Morningstar (daughter): $250.00, 10/25/2008, Al Franken For Senate; $600.00, 10/24/2008, Obama for America; $250.00, 9/29/2010, Ed Potosnak for Congress. Timothy Morningstar (son): $2,300.00, 1/12/2008, Hillary Clinton for President; $2,300.00, 8/28/2008,

Friends of Hillary Clinton. Emily Morningstar (daughter): None. Elizabeth Morningstar (daughter-in-law): $2,300.00, 1/8/2008, Obama for America; $2,300.00, 7/31/2008, Hillary Clinton for President; $500.00, 4/14/2010, MA Democratic State Committee; $250.00, 6/2/2011, MA Democratic State Committee. Bridget Morningstar (daughter-in-law): None. Alistair Fitzpayne (son-in-law): None.

4. Otto and Jane Morningstar (parents): Deceased.

5. Edward and Ida Nathanson (grandparents): Deceased. Monya and Louis Morningstar: Deceased,

6. David Morningstar (brother): Deceased.

7. Betty Morningstar (sister): $10,000.00, 6/30/2009, Democratic National Committee; $500.00, 2/24/2010, Democratic National Committee; $500.00, 4/09/2010, Democratic National Committee; $5,000.00, 10/18/2010, Gay and Lesbian Victory Fund Federal PAC; $10,000.00, 10/21/2010, Massachusetts Democratic State Committee; $3,000.00, 9/16/2011, Obama Victory Fund 2012. Jeanette Knieger: None.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with William M. Zarit and ending with Michael J. Richardson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 2, 2012

Foreign Service nominations beginning with Jeffrey B. Justice and ending with Enrique G. Ortiz, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 18, 2012.

Foreign Service nominations beginning with Michael C. Aho and ending with Michael L. Yoder, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 26, 2012.

Foreign Service nominations beginning with Alboino Lungobardo Deulus and ending with Bradley Alan Freden, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 15, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LUGAR:

S. 3310. A bill to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes; to the Committee on Foreign Relations.

By Mr. BAUCUS:

S. 3311. A bill to designate the United States courthouse located at 2601 2nd Avenue North, Billings, Montana, as the ''James F. Battin United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado:

S. 3312. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Rules and Administration.

By Mrs. MURRAY (for herself and Mr. TESTER):

S. 3313. A bill to amend title 38, United States Code, to improve the assistance provided by the Department of Veterans Affairs to women veterans, to improve health care furnished by the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself and Mr. CHAMBLISS):

S. 3314. A bill to specifically authorize certain funds for an intelligence or intelligence-related activity and for other purposes; considered and passed.

By Mrs. HUTCHISON (for herself, Mr. LEVIN, Mr. CORNYN, Mr. CARDIN, Ms. LANDRIEU, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. HARKIN, Mr. BEGICH, Mr. DURBIN, Mr. WARNER, Mr. WEBB, Mr. NELSON of Florida, and Mr. AKAKA):

S.J. Res. 45. A joint resolution amending title 36, United States Code, to designate June 19 as ''Juneteenth Independence Day''; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. CARDIN, Ms. LANDRIEU, Mr. CORNYN, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. HARKIN, Mr. BEGICH, Mr. DURBIN, Mr. WARNER, Mr. WEBB, Mr. NELSON of Florida, Mr. LEAHY, Mr. CASEY, Mr. WICKER, Mr. AKAKA, Mr. LAUTENBERG, and Mr. SCHUMER):

S. Res. 496. A resolution observing the historical significance of Juneteenth Independence Day; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Res. 497. A resolution congratulating the Los Angeles Kings on winning the 2012 Stanley Cup Championship; considered and agreed to.

By Mr. ALEXANDER (for himself, Mr. INOUYE, Mr. COONS, Mr. HOEVEN, Mr. ROBERTS, Mrs. FEINSTEIN, Mrs. BOXER, Mr. CORKER, Mr. BROWN of Massachusetts, Mr. COCHRAN, Mr. CARDIN, and Mr. SESSIONS):

S. Res. 498. A resolution designating June 20, 2012, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; considered and agreed to.

By Mr. BURR (for himself and Ms. MIKULSKI):

S. Res. 499. A resolution recognizing the tenth anniversary of the National Institute of Biomedical Imaging and Bioengineering; considered and agreed to.

ADDITIONAL COSPONSORS

S. 227

At the request of Ms. COLLINS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1670

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1670, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1990

At the request of Mr. LIEBERMAN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2060

At the request of Mr. KOHL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2060, a bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of nonparticipation due to Government error.

S. 2077

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2077, a bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes.

S. 2124

At the request of Mr. MENENDEZ, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2124, a bill to amend title

III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2213

At the request of Mr. THUNE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2213, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 2258

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2258, a bill to amend the Internal Revenue Code of 1986 to make permanent the rule providing 5-year amortization of expenses incurred in creating or acquiring music or music copyrights.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 3178

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 3178, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 3225

At the request of Mr. WYDEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3225, a bill to require the United States Trade Representative to provide documents relating to trade negotiations to Members of Congress and their staff upon request, and for other purposes.

S. 3257

At the request of Mr. COBURN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. 3280

At the request of Mr. JOHANNS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3280, a bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938.

S. 3286

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3286, a bill to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, and for other purposes.

S. 3290

At the request of Mr. VITTER, the names of the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 3290, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 3308

At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3308, a bill to amend title 38, United States Code, to improve the furnishing of benefits for homeless veterans who are women or who have dependents, and for other purposes.

S.J. RES. 41

At the request of Mr. GRAHAM, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 41, a joint resolution expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

S. CON. RES. 46

At the request of Mr. WEBB, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

S. CON. RES. 47

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Con. Res. 47, a concurrent resolution expressing the sense of Congress on the sovereignty of the Republic of Cyprus over all of the territory of the island of Cypress.

S. RES. 473

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 473, a resolution commending Rotary International and others for their efforts to prevent and eradicate polio.

S. RES. 489

At the request of Mr. THUNE, his name was added as a cosponsor of S. Res. 489, a resolution expressing the sense of the Senate on the appointment by the Attorney General of an outside special counsel to investigate certain recent leaks of apparently classified and highly sensitive information on United States military and intelligence plans, programs, and operations.

AMENDMENT NO. 2156

At the request of Mr. NELSON of Florida, his name was withdrawn as a cosponsor of amendment No. 2156 proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2195

At the request of Ms. AYOTTE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 2195 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2199

At the request of Mr. MCCAIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 2199 proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2204

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2204 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2214

At the request of Mr. COBURN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 2214 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2306

At the request of Ms. MURKOWSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2306 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2364

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 2364 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2382

At the request of Mr. MERKLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 2382 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2426

At the request of Mr. COONS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 2426 proposed to S.

3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2454

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of amendment No. 2454 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2457

At the request of Mr. WARNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 2457 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 3310. A bill to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, last week heads of state, key policymakers, and foreign aid implementers met in Washington to examine ''Frontiers in Development.'' It was my pleasure to provide the conference keynote address Monday in which I pressed for greater transparency in global financial transactions and investments. This includes both U.S. foreign assistance funding and payments that companies make to foreign governments for oil, natural gas and mineral developments. Fuller disclosure improves accountability to citizens of both our country and the recipient country and would set an important example for other countries to provide more clarity about their own foreign assistance programs. Transparency in energy and mineral payments is already required for U.S.-listed companies by law in the Cardin-Lugar provision of the Dodd-Frank Act, and thanks to American leadership, the European Union is preparing similar legislation. Now, it is timely to enact legislation requiring the U.S. to disclose where and for what purpose it provides foreign assistance dollars across the globe. Further, taxpayers and foreign aid recipients have a right to know the impacts of these funds.

That is why I am introducing The Foreign Aid Transparency and Accountability Act, which will require the President to disclose this information through a publicly accessible website in a timely manner.

The U.S. provides assistance through a host of federal agencies including the Departments of State, Defense and Agriculture, as well as agencies including the U.S. Agency for International Development, USAID, and the Millennium Challenge Corporation, MCC. While our Federal budget is available for public review, there is currently no single source required by law where one can review in what amount and for what purpose U.S. dollars flow to individual countries and programs. President Obama early in his administration promised to bring more transparency to our international development programs. But so far, the efforts by the State Department, USAID, the MCC and others to display this information through the Foreign Assistance Dashboard have been inadequate. There is a meager amount of data on the Dashboard, and it is often woefully out of date.

My legislation is the identical version to that introduced earlier in this Congress by Congressman TED POE of Texas, which now has more than 50 House co-sponsors. I compliment Representative POE on the bill and appreciate the bipartisan support he has already garnered for it in the House. I look forward to working to enact the legislation in this Congress, bringing greater transparency and accountability to taxpayer funding of foreign assistance programs in a timely manner.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3310

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Aid Transparency and Accountability Act of 2012''.

SEC. 2. GUIDELINES FOR UNITED STATES FOREIGN ASSISTANCE PROGRAMS.

(a) PURPOSE.—The purpose of this section is to evaluate the performance of United States foreign assistance programs and their contribution to policy, strategies, projects, program goals, and priorities undertaken by the Federal Government, to foster and promote innovative programs to improve the effectiveness of such programs, and to coordinate the monitoring and evaluation processes of Federal departments and agencies that administer such programs.

(b) ESTABLISHMENT OF GUIDELINES.—The President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, shall establish guidelines regarding the establishment of measurable goals, performance metrics, and monitoring and evaluation plans that can be applied on a uniform basis to United States foreign assistance programs, country assistance plans, and international and multilateral assistance programs receiving financial assistance from the United States. Such guidelines shall be established according to best practices of monitoring and evaluation studies and analyses.

(c) OBJECTIVES OF GUIDELINES.—

(1) IN GENERAL.—Such guidelines shall provide direction to Federal departments and agencies that administer United States foreign assistance programs on how to develop the complete range of activities relating to the monitoring of resources, the evaluation of projects, the evaluation of program impacts, and analysis that is necessary for the identification of findings, generalizations that can be derived from those findings, and their applicability to proposed project and program design.

(2) OBJECTIVES.—Specifically, the guidelines shall provide direction on how to achieve the following objectives for monitoring and evaluation programs:

(A) Building measurable goals, performance metrics and monitoring and evaluation into program design at the outset, including the provision of sufficient program resources to conduct monitoring and evaluation.

(B) Disseminating guidelines for the development and implementation of monitoring and evaluation programs to all personnel, especially in the field, who are responsible for the design, implementation and management of foreign assistance programs.

(C) Developing a clearinghouse capacity for the dissemination of knowledge and lessons learned to United States development professionals, implementing partners, the international aid community, and aid recipient governments, and as a repository of knowledge on lessons learned.

(D) Distributing evaluation reports internally and making this material available online to the public. Furthermore, providing a summary including a description of methods, key findings and recommendations to the public on-line in a fully searchable form within 90 days after the completion of the evaluation. Principled exceptions will be made in cases of classified or proprietary material.

(E) Establishing annual monitoring and evaluation agendas and objectives that are responsive to policy and programmatic priorities.

(F) Applying rigorous monitoring and evaluation methodologies, choosing from among a wide variety of qualitative and quantitative methods common in the field of social scientific inquiry.

(G) Partnering with the academic community, implementing partners, and national and international institutions that have expertise in monitoring and evaluation and analysis when such partnerships will provide needed expertise or will significantly improve the evaluation and analysis.

(H) Developing and implementing a training plan for aid personnel on the proper conduct of monitoring and evaluation programs.

(d) ROLE OF OTHER FEDERAL DEPARTMENTS AND AGENCIES.—The President shall carry out this section in conjunction with the heads of Federal departments and agencies that administer United States foreign assistance programs.

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the President shall submit to Congress a report that contains a detailed description of the guidelines that have been developed on measurable goals, performance metrics, and monitoring and evaluation plans for United States foreign assistance programs established under this section.

(f) EVALUATION DEFINED.—In this section, the term ''evaluation'' means, with respect to a United States foreign assistance program, the systematic collection and analysis of information about the characteristics and outcomes of the program and projects under the program as a basis for judgments, to improve effectiveness, and to inform decisions about current and future programming.

SEC. 3. INTERNET WEB SITE TO MAKE PUBLICLY AVAILABLE COMPREHENSIVE, TIMELY, COMPARABLE, AND ACCESSIBLE INFORMATION ON UNITED STATES FOREIGN ASSISTANCE PROGRAMS.

(a) ESTABLISHMENT; PUBLICATION AND UPDATES.—Not later than 2 years after the date of the enactment of this Act, the President shall establish and maintain an Internet Web site to make publicly available comprehensive, timely, comparable, and accessible information on United States foreign assistance programs. The head of each Federal department or agency that administers such programs shall on a regular basis publish and update on the Web site such information with respect to the programs of the department or agency.

(b) MATTERS TO BE INCLUDED.—

(1) IN GENERAL.—Such information shall be published on a detailed program-by-program basis and country-by-country basis.

(2) TYPES OF INFORMATION.—To ensure transparency, accountability, and effectiveness of United States foreign assistance programs, the information shall include country assistance strategies, annual budget documents, congressional budget justifications, actual expenditures, and reports and evaluations for such programs and projects under such programs. Each type of information described in this paragraph shall be published on the Web site not later than 30 days after the date of issuance of the information and shall be continuously updated.

(3) REPORT IN LIEU OF INCLUSION.—If the head of a Federal department or agency makes a determination that the inclusion of a required item of information on the Web site would jeopardize the health or security of an implementing partner or program beneficiary or would be detrimental to the national interests of the United States, such item of information may be submitted to Congress in a written report in lieu of including it on the Web site, along with the reasons for not including it in the database required under subsection (c)(2).

(c) SCOPE OF INFORMATION.—

(1) IN GENERAL.—The Web site shall contain such information relating to the current fiscal year and the immediately preceding 5 fiscal years.

(2) DATABASE.—

(A) IN GENERAL.—Subject to subparagraph (B), the Web site shall also contain a link to a searchable database available to the public containing such information relating to fiscal years prior to the current fiscal year and the immediately preceding 5 fiscal years.

(B) LIMITATION.—The database shall not contain such information relating to fiscal years prior to fiscal year 2006.

(d) FORM.—Such information shall be published on the Web site in unclassified form. Any information determined to be classified information may be submitted to Congress in classified form and an unclassified summary of such information shall be published on the Web site.

By Mrs. MURRAY (for herself and Mr. TESTER):

S. 3313. A bill to amend title 38, United States Code, to improve the assistance provided by the Department of Veterans Affairs to women veterans, to improve health care furnished by the Department, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President today, as Chairman of the Senate Committee on Veterans' Affairs, I introduce the Women Veterans and Other Health Care Improvement Act of 2012. I am incredibly proud of the women and men who have served or are serving our nation in uniform, and I strongly believe we must do all that we can to honor them.

That is why I introduced legislation, which was signed into law as part of the Caregivers and Veterans Omnibus Health Services Act of 2010, which helped to transform the way that the Department of Veterans Affairs, VA, addresses the needs of women veterans. Among other things, this law required the VA to provide neonatal care, train mental health professionals to provide mental health services for sexual trauma, and develop a child care pilot program. VA has an obligation to provide veterans with quality care and we have an obligation to make sure that VA does so. The legislation I am introducing today builds upon that effort to make additional improvements to VA's services for women veterans and veterans with families.

The nature of the current conflict and increasing use of improvised explosive devices leaves servicemembers, both male and female, at increased risk for blast injuries including spinal cord injury and trauma to the reproductive and urinary tracts. Army data shows that between 2003 and 2011 more than 600 women and men experienced these life-changing battle injuries while serving in Iraq or Afghanistan.

As they return from the battlefield, the VA system must be equipped to help injured veterans step back into their lives as parents, spouses, and citizens. These veterans have served honorably and have made the ultimate sacrifice for our great nation. They deserve the opportunity to pursue their goals and dreams, whether that includes pursuing higher education, finding gainful employment, purchasing their first house, or starting their own family. VA has many programs that help veterans pursue the educational, career, or homeownership dreams and goals that they deferred in service to this country, yet it falls short when it comes to helping severely wounded veterans who want to start a family. These veterans often need far more advanced services in order to conceive a child.

The Department of Defense and the Tricare program are already able to provide advanced fertility treatments, including assisted reproductive technology, to servicemembers with complex injuries. However; not all injured servicemembers are well situated to have a child at the time they are eligible for that coverage, and some are no longer eligible for Tricare by the time they are ready.

VA's fertility counseling and treatment options are limited and do not meet the complex needs of severely injured veterans. I have heard from severely injured veterans whose injuries have made it impossible for them to conceive children naturally. While the details of these stories vary, the common thread that runs through them all is that these veterans were unable to obtain the type of assistance they need. Some have spent tens of thousands of dollars in the private sector to get the advanced reproductive treatments they need to start a family. Others have watched their marriage dissolve because the stress of infertility, in combination with the stresses of readjusting to life after severe injury, drove their relationship to a breaking point. Any servicemember who sustains this type of serious injury deserves so much more. It is our responsibility to give VA the tools it needs to serve them, and the Women Veterans and Other Health Care Improvement Act is a start at doing that.

This legislation also requires VA to build upon existing research framework to gain a better understanding of the long-term reproductive health care needs of veterans, from those who experience severe reproductive and urinary tract trauma to those who experience gender-specific infections in the battlefield. A recent Army Task Force Report found that women in the battlefield experience high rates of urinary tract infections and other women's health conditions. After a decade at war, many women servicemembers are still at increased risk for women's health difficulties due to deployment conditions and a lack of predeployment women's health information, compounded by privacy and safety concerns. Little is known about the impact that these issues and injuries have on the long-term health care needs of veterans. Additional research will provide critical information to help VA improve services for veterans.

VA has come a long way in addressing the unique health needs and challenges that women face. Yet for all of its recent progress, VA can and must do more to ensure that women veterans are receiving the care that they need and deserve. Work remains to make VA a friendly environment for women veterans and veterans with families. Many women veterans are single mothers, making it difficult for them to take full advantage of the services that VA offers. The Women Veterans and Other Health Care Improvement Act creates a pilot program that provides child care to veterans seeking readjustment counseling at VA's Vet Centers. It also helps VA ensure that women veterans can get the information that they need in order to access VA health care and benefits.

This is not a section by section review of all the provisions within this legislation. However, I have provided an appropriate overview of the major benefits of this legislation and how it would improve the lives of our veterans and their families. The promise that we make to our veterans is sacred and knows no gender. To honor our veterans, we must honor this promise for each and every one of them.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Women Veterans and Other Health Care Improvements Act of 2012''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Facilitation of reproduction and infertility research.
Sec. 3. Clarification that fertility counseling and treatment are medical services which the Secretary may furnish to veterans like other medical services.
Sec. 4. Reproductive treatment and care delivery for spouses and surrogates of veterans.
Sec. 5. Requirement to improve Department of Veterans Affairs women veterans call center.
Sec. 6. Modification of pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.
Sec. 7. Pilot programs on assistance for child care for certain veterans.

SEC. 2. FACILITATION OF REPRODUCTION AND INFERTILITY RESEARCH.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Facilitation of reproduction and infertility research

''(a) FACILITATION OF RESEARCH REQUIRED.—The Secretary shall facilitate research conducted collaboratively by the Secretary of Defense and the Director of the National Institutes of Health to improve the ability of the Department of Veterans Affairs to meet the long-term reproductive health care needs of veterans who have a service-connected genitourinary disability or a condition that was incurred or aggravated in line of duty in the active military, naval, or air service, such as spinal cord injury, that affects the veterans' ability to reproduce.

''(b) DISSEMINATION OF INFORMATION.—The Secretary shall ensure that information produced by the research facilitated under this section that may be useful for other activities of the Veterans Health Administration is disseminated throughout the Veterans Health Administration.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Facilitation of reproduction and infertility research.''.

(c) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the research activities conducted by the Secretary under section 7330B of title 38, United States Code, as added by subsection (a).

SEC. 3. CLARIFICATION THAT FERTILITY COUNSELING AND TREATMENT ARE MEDICAL SERVICES WHICH THE SECRETARY MAY FURNISH TO VETERANS LIKE OTHER MEDICAL SERVICES.

Section 1701(6) of such title is amended by adding at the end the following new subparagraph:

''(H) Fertility counseling and treatment, including treatment using assisted reproductive technology.''.

SEC. 4. REPRODUCTIVE TREATMENT AND CARE DELIVERY FOR SPOUSES AND SURROGATES OF VETERANS.

(a) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1787. Reproductive treatment and care for spouses and surrogates of veterans

''(a) IN GENERAL.—The Secretary shall furnish fertility counseling and treatment, including through the use of assisted reproductive technology, to a spouse or surrogate of a severely wounded veteran who has an infertility condition incurred or aggravated in line of duty in the active military, naval, or air service and who is enrolled in the health care system established under section 1705(a) of this title if the spouse and the veteran apply jointly for such counseling and treatment through a process prescribed by the Secretary.

''(b) COORDINATION OF CARE FOR OTHER SPOUSES AND SURROGATES.—In the case of a spouse or surrogate of a veteran not described in subsection (a) who is seeking fertility counseling and treatment, the Secretary may coordinate fertility counseling and treatment for such spouse or surrogate.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1786 the following new section:

''1787. Reproductive treatment and care for spouses and surrogates of veterans.''.

(c) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations to carry out section 1787 of title 38, United States Code, as added by paragraph (1).

SEC. 5. REQUIREMENT TO IMPROVE DEPARTMENT OF VETERANS AFFAIRS WOMEN VETERANS CALL CENTER.

The Secretary of Veterans Affairs shall enhance the capabilities of the Department of Veterans Affairs women veterans call center—

(1) to respond to requests by women veterans for assistance with accessing health care and benefits furnished under laws administered by the Secretary; and

(2) for referral of such veterans to community resources to obtain assistance with services not furnished by the Department.

SEC. 6. MODIFICATION OF PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE IN THE ARMED FORCES.

(a) INCREASE IN NUMBER OF LOCATIONS.—Subsection (c) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1712A note) is amended by striking ''three locations'' and inserting ''14 locations''.

(b) EXTENSION OF DURATION.—Subsection (d) of such section is amended by striking ''2-year'' and inserting ''four-year''.

SEC. 7. PILOT PROGRAMS ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS.

(a) MODIFICATION OF DURATION OF PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1710 note) is amended to read as follows:

''(e) DURATION.—A child care center that is established as part of the pilot program may operate until the date that is two years after the date on which the pilot program is established in the third Veterans Integrated Service Network required by subsection (d).''.

(b) REQUIREMENT FOR PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING READJUSTMENT COUNSELING AND RELATED MENTAL HEALTH SERVICES.—

(1) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of providing, subject to paragraph (2), assistance to qualified veterans described in paragraph (3) to obtain child care so that such veterans can receive readjustment counseling and related mental health services.

(2) LIMITATION ON PERIOD OF PAYMENTS.—Assistance may only be provided to a qualified veteran under the pilot program required by paragraph (1) for receipt of child care during the period that the qualified veteran receives readjustment counseling and related health care services at a Vet Center.

(3) QUALIFIED VETERANS.—For purposes of this subsection, a qualified veteran is a veteran who is—

(A) the primary caretaker of a child or children; and

(B)(i) receiving from the Department regular readjustment counseling and related mental health services; or

(ii) in need of readjustment counseling and related mental health services from the Department, and but for lack of child care services, would receive such counseling and services from the Department.

(4) LOCATIONS.—The Secretary shall carry out the pilot program under this subsection in no fewer than three Readjustment Counseling Service Regions selected by the Secretary for purposes of the pilot program.

(5) DURATION.—The pilot program under this subsection shall be carried out until the end of the two-year period beginning on the day on which the Secretary begins carrying out the pilot program at the last Readjustment Counseling Service Region selected under paragraph (4) at which the Secretary begins carrying out the pilot program.

(6) FORMS OF CHILD CARE ASSISTANCE.—

(A) IN GENERAL.—Child care assistance under this subsection may include the following:

(i) Stipends for the payment of child care offered by licensed child care centers (either directly or through a voucher program) which shall be, to the extent practicable, modeled after the Department of Veterans Affairs Child Care Subsidy Program established pursuant to section 630 of the Treasury and General Government Appropriations Act, 2002 (Public Law 107–67; 115 Stat. 552).

(ii) Payments to private child care agencies.

(iii) Collaboration with facilities or programs of other Federal departments or agencies.

(iv) Such other forms of assistance as the Secretary considers appropriate.

(B) AMOUNTS OF STIPENDS.—In the case that child care assistance under this subsection is provided as a stipend under subparagraph (A)(i), such stipend shall cover the full cost of such child care.

(7) REPORT.—Not later than 180 days after the completion of the pilot program required by paragraph (1), the Secretary shall submit to Congress a report on the pilot program. The report shall include the findings and conclusions of the Secretary as a result of the pilot program, and shall include such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out the pilot program required by paragraph (1)

$1,000,000 for each of fiscal years 2014 and 2015.

(9) VET CENTER DEFINED.—In this section, the term ''Vet Center'' means a center for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

By Mrs. HUTCHISON (for herself, Mr. LEVIN, Mr. CORNYN, Mr. CARDIN, Ms. LANDRIEU, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. HARKIN, Mr. BEGICH, Mr. DURBIN, Mr. WARNER, Mr. WEBB, Mr. NELSON of Florida, and Mr. AKAKA):

S.J. Res. 45. A joint resolution amending title 36, United States Code, to designate June 19 as ''Juneteenth Independence Day''; to the Committee on the Judiciary.

Mrs. HUTCHISON. Mr. President, on June 19, 1865, Union soldiers led by Major General Gordon Granger reached Galveston, Texas to announce that the Civil War had ended and that slaves had been emancipated.

It was a bittersweet day; the news traveled slowly, reaching Galveston nearly 2½ years after President Lincoln's Emancipation Proclamation. But it was a joyous occasion, a triumph of freedom that has been remembered since. In commemoration of that historic day, I am delighted to introduce a Joint Resolution designating June 19 as ''Juneteenth Independence Day,'' a National Day of Observance.

It is a day to reflect on history and to celebrate freedom. To remember, in the words of W. E. B. Du Bois, that ''The cost of liberty is less than the price of repression.''

This resolution offers recognition of the role that Juneteenth Independence Day has played in African-American culture in Texas and throughout the Southwest. Enshrining Juneteenth in our national consciousness will confer the recognition it merits and serve as inspiration for all Americans. I am proud to be part of this bipartisan joint resolution to commemorate this day that reminds us that in America, we are all blessed to live in freedom.

United States law provides for the declaration of selected public observances by the President of the United States as designated by Congress or at the discretion of the President. I believe that marking Juneteenth Independence Day as a National Day of Observance will honor freedom and liberty, something that Americans of all races, creeds, and ethnic backgrounds can celebrate.

This legislation is an important reminder of that extraordinary day in 1865, a day that carried liberty across America. My fellow Texan Barbara Jordan once said, ''A nation is formed by the willingness of each of us to share in the responsibility for upholding the common good.'' There is no plainer common good than commemorating American freedom. I encourage all of my colleagues to join in cosponsoring this resolution.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 496—OBSERVING THE HISTORICAL SIGNIFICANCE OF JUNETEENTH INDEPENDENCE DAY

Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. CARDIN, Ms. LANDRIEU, Mr. CORNYN, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. HARKIN, Mr. BEGICH, Mr. DURBIN, Mr. WARNER, Mr. WEBB, Mr. NELSON of Florida, Mr. LEAHY, Mr. CASEY, Mr. WICKER, Mr. AKAKA, Mr. LAUTENBERG, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 496

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Abraham Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as the anniversary of their emancipation;

Whereas African Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 145 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas the faith and strength of character demonstrated by former slaves remain an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

(B) history should be regarded as a means for understanding the past and solving the challenges of the future.

SENATE RESOLUTION 497—CONGRATULATING THE LOS ANGELES KINGS ON WINNING THE 2012 STANLEY CUP CHAMPIONSHIP

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 497

Whereas, on June 11, 2012, the Los Angeles Kings were crowned National Hockey League champions after defeating the New Jersey Devils by a score of 6-1 in Game 6 of the 2012 Stanley Cup Finals;

Whereas this is the first Stanley Cup title that the Los Angeles Kings have won since the team entered the National Hockey League in 1967;

Whereas the Los Angeles Kings are the first 8th seeded playoff team to win the Stanley Cup;

Whereas the Los Angeles Kings never allowed an opposing team with a higher seed or home-ice advantage to intimidate them;

Whereas, en route to their first Stanley Cup appearance since 1993, the Los Angeles Kings quickly dispatched the defending Western Conference Champions, the Vancouver Canucks, dominated the upstart St. Louis Blues, and defeated the Phoenix Coyotes, who were the Pacific Division Champions;

Whereas Los Angeles Kings forward Dustin Brown is the first American team captain of a Stanley Cup champion since 1999;

Whereas Los Angeles Kings goalie Jonathan Quick performed admirably in each playoff game, totaling 125 saves and maintaining a .946 save percentage during the Stanley Cup Finals, and winning the Conn Smythe Trophy, which is awarded to the player considered most valuable to his team during the Stanley Cup Playoffs;

Whereas each of the 26 players on the Los Angeles Kings playoff roster should receive recognition, including Most Valuable Player of the Stanley Cup Playoffs Jonathan Quick, team captain Dustin Brown, Jonathan Bernier, Jeff Carter, Kyle Clifford, Drew Doughty, David Drewiske, Colin Fraser, Simon Gagne, Matt Greene, Dwight King, Anze Kopitar, Trevor Lewis, Andrei Loktionov, Alec Martinez, Willie Mitchell, Jordan Nolan, Scott Parse, Dustin Penner, Mike Richards, Brad Richardson, Rob Scuderi, Jarret Stoll, Slava Voynov, Kevin Westgarth, and Justin Williams; and

Whereas team owners Philip Anschutz and Edward Roski, General Manager Dean Lombardi, and head coach Darryl Sutter admirably assembled the team that comprised the 2012 Los Angeles Kings and led them through one dominant performance after another in the 2012 Stanley Cup Playoffs: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Los Angeles Kings on winning the 2012 Stanley Cup Championship; and

(2) commends the Los Angeles Kings fans in California and across the Nation for showing the team support throughout its 45-year history.

SENATE RESOLUTION 498—DESIGNATING JUNE 20, 2012, AS ''AMERICAN EAGLE DAY'', AND CELEBRATING THE RECOVERY AND RESTORATION OF THE BALD EAGLE, THE NATIONAL SYMBOL OF THE UNITED STATES

Mr. ALEXANDER (for himself, Mr. INOUYE, Mr. COONS, Mr. HOEVEN, Mr. ROBERTS, Mrs. FEINSTEIN, Mrs. BOXER, Mr. CORKER, Mr. BROWN of Massachusetts, Mr. COCHRAN, Mr. CARDIN, and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 498

Whereas on June 20, 1782, the bald eagle was officially designated as the national emblem of the United States by the founding fathers in the Congress of the Confederation;

Whereas the bald eagle is the central image of the Great Seal of the United States;

Whereas the image of the bald eagle is displayed in the official seal of many branches and departments of the Federal Government, including—

(1) the Office of the President;

(2) the Office of the Vice President;

(3) Congress;

(4) the Supreme Court;

(5) the Department of the Treasury;

(6) the Department of Defense;

(7) the Department of Justice;

(8) the Department of State;

(9) the Department of Commerce;

(10) the Department of Homeland Security;

(11) the Department of Veterans Affairs;

(12) the Department of Labor;

(13) the Department of Health and Human Services;

(14) the Department of Energy;

(15) the Department of Housing and Urban Development;

(16) the Central Intelligence Agency; and

(17) the Postal Service;

Whereas the bald eagle is an inspiring symbol of—

(1) the spirit of freedom; and

(2) the sovereignty of the United States;

Whereas since the founding of the Nation, the image, meaning, and symbolism of the bald eagle have played a significant role in the art, music, history, commerce, literature, architecture, and culture of the United States;

Whereas the bald eagle is prominently featured on the stamps, currency, and coinage of the United States;

Whereas the habitat of bald eagles exists only in North America;

Whereas by 1963, the population of bald eagles that nested in the lower 48 States had declined to approximately 417 nesting pairs;

Whereas due to the dramatic decline in the population of bald eagles in the lower 48 States, the Secretary of the Interior listed the bald eagle as an endangered species on the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas caring and concerned individuals from the Federal, State, and private sectors banded together to save, and help ensure the recovery and protection of, bald eagles;

Whereas on July 20, 1969, the first manned lunar landing occurred in the Apollo 11 Lunar Excursion Module, which was named ''Eagle'';

Whereas the ''Eagle'' played an integral role in achieving the goal of the United States of landing a man on the Moon and returning that man safely to Earth;

Whereas in 1995, as a result of the efforts of those caring and concerned individuals, the Secretary of the Interior listed the bald eagle as a threatened species on the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas by 2007, the population of bald eagles that nested in the lower 48 States had increased to approximately 10,000 nesting pairs, an increase of approximately 2,500 percent from the preceding 40 years;

Whereas in 2007, the population of bald eagles that nested in the State of Alaska was approximately 50,000 to 70,000;

Whereas on June 28, 2007, the Secretary of the Interior removed the bald eagle from the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas bald eagles remain protected in accordance with—

(1) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940''); and

(2) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

Whereas on January 15, 2008, the Secretary of the Treasury issued 3 limited edition bald eagle commemorative coins under the American Bald Eagle Recovery and National Emblem Commemorative Coin Act (Public Law 108–486; 118 Stat. 3934);

Whereas the sale of the limited edition bald eagle commemorative coins issued by the Secretary of the Treasury has raised approximately $7,800,000 for the nonprofit American Eagle Foundation of Pigeon Forge, Tennessee to support efforts to protect the bald eagle;

Whereas if not for the vigilant conservation efforts of concerned Americans and the enactment of conservation laws (including regulations), the bald eagle would face extinction;

Whereas the American Eagle Foundation has brought substantial public attention to the cause of the protection and care of the bald eagle nationally;

Whereas November 4, 2010, marked the 25th anniversary of the American Eagle Foundation;

Whereas facilities around the United States, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, rehabilitate injured eagles for release into the wild;

Whereas the dramatic recovery of the population of bald eagles—

(1) is an endangered species success story; and

(2) an inspirational example for other wildlife and natural resource conservation efforts around the world;

Whereas the initial recovery of the population of bald eagles was accomplished by the concerted efforts of numerous government agencies, corporations, organizations, and individuals; and

Whereas the continuation of recovery, management, and public awareness programs for bald eagles will be necessary to ensure—

(1) the continued progress of the recovery of bald eagles; and

(2) that the population and habitat of bald eagles will remain healthy and secure for future generations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 20, 2012, as ''American Eagle Day'';

(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a means by which to generate critical funds for the protection of bald eagles; and

(3) encourages—

(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and

(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

SENATE RESOLUTION 499—RECOGNIZING THE TENTH ANNIVERSARY OF THE NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

Mr. BURR (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 499

Whereas the National Institute of Biomedical Imaging and Bioengineering Establishment Act (Public Law 106–580; 114 Stat. 3088) was signed into law on December 29, 2000;

Whereas the National Institute of Biomedical Imaging and Bioengineering (referred to in this preamble as the ''Institute'') awarded its first research grants in April 2002;

Whereas the purpose of the Institute, a component of the National Institutes of Health, is to conduct and support research, training, dissemination of health information, and other programs relating to biomedical imaging, biomedical engineering, and associated technologies and modalities with biomedical applications;

Whereas the Institute was established to—

(1) accelerate the development of new technologies with clinical and research applications;

(2) improve coordination and efficiency at the National Institutes of Health and throughout the Federal Government;

(3) lay the foundation for a new medical information age;

(4) promote economic development; and

(5) provide a structure for training current and future researchers based on the most recent innovative discoveries;

Whereas the Institute and the biomedical imaging and bioengineering research communities encourage the integration of the physical and life sciences to advance human health by improving quality of life and reducing the burden of disease through research and discoveries;

Whereas, since its establishment, the Institute has supported research to develop scientific advances in biotechnology, imaging, and biomedical engineering, and to advance the application of biomedical technology to improve detection, treatment, and prevention of disease by assembling diverse teams of scientists and engineers to pursue innovative medical therapies and technologies to better meet the health care needs of patients; and

Whereas the Institute has helped to support scientific breakthroughs in areas such as regenerative medicine, cancer treatments, and nanotechnology, which are helping health care providers to better target care and meet the individual health care needs of patients: Now, therefore, be it

Resolved, That the Senate—

(1) commends the National Institute of Biomedical Imaging and Bioengineering for its leadership in research and its role in advancing technologies that improve patient health;

(2) recognizes the remarkable impact that biomedical research supported by the National Institute of Biomedical Imaging and Bioengineering has had on patients; and

(3) recognizes the importance of maintaining a strong commitment to pursuing the next generation of life-saving treatments and technologies for patients.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2459. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table.

SA 2460. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 3240, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2459. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4208. ENCOURAGING LOCALLY AND REGIONALLY PRODUCED FOOD.

(a) COMMODITY PURCHASE STREAMLINING.—The Secretary may allow a school food authority with low annual commodity entitlement values, as determined by the Secretary, to substitute for the allotment of the school food authority for commodities commonly referred to as ''USDA Foods'' if—

(1) the option is requested by the eligible school food authority;

(2) the Secretary determines that the option will reduce Federal and State administrative costs; and

(3) the option will provide the eligible school food authority with greater flexibility to purchase locally and regionally produced foods.

(b) FARM-TO-SCHOOL DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall establish not less than 10 farm-to-school demonstration programs under which school food authorities, agricultural producers producing for local and regional markets, and other farm-to-school stakeholders collaborate with the Agricultural Marketing Service to obtain food for school meals from local agricultural producers rather than through other agricultural and food programs of the Secretary.

(2) REQUIREMENTS.—

(A) IN GENERAL.—A demonstration program under this subsection shall, to the maximum extent practicable—

(i) facilitate and increase the purchase of unprocessed and minimally processed locally and regionally produced agricultural commodities and products to be served in school meal programs;

(ii) test methods to improve procurement, transportation, and meal preparation processes;

(iii) assess whether administrative costs can be saved through increased school authority flexibility to source locally and regionally produced agricultural commodities and foods; and

(iv) undertake rigorous evaluation and share information about results, including cost savings, with the Department of Agriculture, school food authorities, agricultural producers producing for local and regional markets, and the general public.

(B) PLANS.—The Secretary shall require demonstration project participants to provide plans that detail compliance with this subsection.

(3) DURATION.—The Secretary shall determine the appropriate period of time for each demonstration program.

(4) COORDINATION.—The Secretary shall coordinate among relevant agencies of the Department of Agriculture and nongovernmental organizations with appropriate expertise to facilitate the provision of training and technical assistance necessary to the successful implementation of demonstration programs under this subsection.

(5) DIVERSITY AND BALANCE.—In establishing the demonstration programs under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

(A) geographical diversity;

(B) that at least ½ of the demonstration programs are completed in collaboration with school food authorities with relatively small annual commodity entitlements, as determined by the Secretary;

(C) at least ½ of demonstration programs are completed in rural or tribal communities; and

(D) equitable treatment of school food authorities with a high percentage of students participating in the free or reduced price lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

SA 2460. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 11001, after subsection (b) insert the following:

(c) SUPPLEMENTAL, WEATHER INDEX-BASED INSURANCE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by adding at the end the following:

''(11) SUPPLEMENTAL, WEATHER INDEX-BASED INSURANCE.—

''(A) IN GENERAL.—The Corporation may consider and approve applications, consistent with procedures for products submitted under subsection (h), submitted by private companies to provide supplemental, weather index-based insurance products that are not reinsured under this subtitle to producers as an alternative to the coverage provided under this section to determine whether the products can provide enhanced coverage for producers than is otherwise available under this section.

''(B) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—

''(i) IN GENERAL.—Subject to subparagraph (F), if the Corporation determines that supplemental, weather index-based insurance products offered by private companies meet the conditions described in subparagraph (A), the Corporation may pay a portion of the premium for a producer to purchase a product that is not reinsured under this subtitle from a private company for an equivalent level of coverage under this section.

''(ii) ADMINISTRATION.—Any premium assistance under clause (i)—

''(I) shall be determined by the Corporation; and

''(II) may be based on, as determined by the Corporation—

''(aa) a percentage of premium;

''(bb) a percentage of expected loss determined pursuant to a reasonable actuarial methodology; or

''(cc) a fixed dollar amount per acre.

''(C) ELIGIBLE PROVIDERS.—Before providing premium assistance to producers to purchase supplemental, index-based coverage from a private company under this paragraph, the Corporation shall verify that the private company—

''(i) has adequate experience developing and managing similar index-based products for crop producers (including adequate resources, experience, and assets) or sufficient reinsurance, to meet the obligations of the private company under this paragraph;

''(ii) has adequate experience to sell and administer index-based or similar products;

''(iii) possesses a sufficient insurance credit rating from an appropriate credit rating bureau; and

''(iv) has approval from each State in which the company intends to make the supplemental insurance products of the company available.

''(D) OVERSIGHT.—The Corporation shall develop and publish procedures to administer a supplemental, index-based insurance option for producers under this paragraph that—

''(i) require each applicable private company to report sales, acreage and claim data, and any other data the Corporation determines to be appropriate, to allow the Corporation to evaluate product pricing and performance;

''(ii) allow each participating private company exclusive rights, ownership of intellectual property, and protection of confidential information with respect to the insurance offered under this paragraph; and

''(iii) contain such other requirements as the Corporation determines necessary to ensure that—

''(I) the interests of producers are protected; and

''(II) the program operates in an actuarially sound manner.

''(E) SELECTION LIMITATION.—A producer shall be allowed to select supplemental coverage annually and may not select both weather index-based coverage under this paragraph and any other supplemental coverage offered under other provisions of this section.

''(F) BASELINE SAVINGS.—

''(i) IN GENERAL.—The Corporation may not offer premium assistance for producers to purchase private company weather index-based supplemental coverage under this paragraph unless the Corporation determines that offering private company coverage will result in savings against baseline spending estimates for the supplemental coverage option provided by the Office of Management and Budget.

''(ii) ADMINISTRATIVE EXPENSES.—In addition to any other available funds, the Corporation shall use savings derived from offering supplemental coverage from private companies to cover administrative costs associated with evaluating and approving private company coverage under this subsection.''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public an addition to a previously announced hearing before the Subcommittee on National Parks. The hearing will be held on Wednesday, June 27, 2012, at 3 p.m., in room SD–366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider:

S. 3078, a bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on June 6, 1944, the morning of D-Day.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510 6150, or by email to Jake_Mccook@energy.senate.gov.

For further information, please contact Sara Tucker (202) 224–6224 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 19, 2012, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 19, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Forty Years and Counting: The Triumphs of Title IX'' on June 19, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 19, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Confronting the Looming Fiscal Crisis.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 19, 2012, at 2:15 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. KERRY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 19, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. KERRY. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 19, 2012, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, ''Review of Recent Environmental Protection Agency's Air Standards for Hydraulically Fractured Natural Gas Wells and Oil and Natural Gas Storage.''

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on June 19, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Reassessing Solitary Confinement: The Human Rights, Fiscal and Public Safety Consequences.''

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

PRIVILEGES OF THE FLOOR

Ms. STABENOW. Mr. President, I ask unanimous consent the following members of Senator BINGAMAN's office be granted the privilege of the floor for the pendency of S. 3240, the farm bill: Bijan Peters, Eugenia Woods, James Anderson, Aurora Trujillo, Carl Slater.

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

Mr. ROBERTS. Mr. President, I ask unanimous consent our USDA detailee, Patricia Lawrence, be granted the privilege of the floor for the duration of debate and consideration of this bill.

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

AUTHORIZING CERTAIN FUNDS FOR AN INTELLIGENCE OR INTELLIGENCE-RELATED ACTIVITY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3314 introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (S. 3314) to specifically authorize certain funds for an intelligence or intelligence-related activity, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. FEINSTEIN. Mr. President, Vice Chairman CHAMBLISS and I are introducing a bill today to authorize funds included in the fiscal year 2012 Defense Appropriations Act that were not previously authorized.

Last year, the classified annex to the Department of Defense Appropriations Act, 2012, division A of the conference report on H.R. 2055, the Consolidated Appropriations Act, 2012, added three funding lines for two separate intelligence programs. While those programs are part of the National Intelligence Program, these additional funds were placed in a separate budgetary account, the Military Intelligence Program.

The additional funds for these items included in the defense appropriations conference annex were not included in the Intelligence Authorization Act for fiscal year 2012, Public Law 112–87, which authorized the National Intelligence Program budget. Neither were the additional funds for these items included in the National Defense Authorization Act for fiscal year 2012, Public Law 112–81, which authorized the Military Intelligence Program budget.

This created a situation in which funds for an intelligence program were appropriated but not authorized in statute. Section 504(a)(1) of the National Security Act states that funds may be obligated or expended for an intelligence or intelligence-related activity only if those funds were specifically authorized by the Congress for such activities.

As a result, the additional funds appropriated for these items have not been specifically authorized as required by section 504 and, therefore, may not be obligated or expended for these intelligence activities.

Vice Chairman CHAMBLISS and I have no substantive objections to expending the appropriated funds for these specific programs. However, we hold strongly to the principle that intelligence funds must be authorized if they are to be spent—this is one of the major purposes of the annual intelligence authorization bills.

We have discussed this matter with the Director of National Intelligence James Clapper and the Secretary of Defense Leon Panetta, and have agreed to seek passage of this legislation to permit them to spend these funds for the purposes identified in the 2012 Defense Appropriations Act.

The bill we are introducing today is very simple and quite short. It specifically authorizes the increased funding for these specific items to the extent that they are in excess to the amounts authorized in the Intelligence Authorization Act for fiscal year 2012.

For reasons of classification, I can't describe the nature of these intelligence programs on the Floor. Any Member, however, is welcome to come to the Intelligence Committee office and receive a briefing on the programs and why the funding is important.

I believe this legislation is necessary as a technical correction to permit funds already appropriated to be obligated and expended. I appreciate the work and cooperation of my Vice Chairman Senator CHAMBLISS on this matter and hope this legislation will move quickly to enactment.

Mrs. BOXER. Mr. President, I further ask that the bill be read three times, and the Senate proceed to a voice vote on passage of the measure.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Is there any further debate?

If not, the bill having been read the third time, the question is, shall the bill pass?

The bill (S. 3314) was passed, as follows:

S. 3314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF FUNDS FOR INTELLIGENCE ACTIVITIES.

Funds appropriated for an intelligence or intelligence-related activity of the United States Government as described on the last three lines in the table entitled Military Intelligence Program, Fiscal Year 2012 Recommendation, Summary on the third page after page 69 of the funding tables in the classified annex to the Joint Explanatory Statement of the Committee of Conference to accompany the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 786), in excess of the amount specified for such activity in the tables in the classified annex prepared to accompany the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1876) shall be specifically authorized by Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

Mrs. BOXER. I further ask that the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

RESOLUTIONS SUBMITTED TODAY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 496, S. Res. 497, S. Res. 498, and S. Res. 499.

The PRESIDING OFFICER. Is there objection to proceeding to the measures en bloc?

Without objection, it is so ordered.

Mrs. BOXER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid on the table en bloc, with no intervening action or debate, and any statements relating to the resolutions be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 496

(Observing the historical significance of Juneteenth Independence Day)

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Abraham Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as the anniversary of their emancipation;

Whereas African Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 145 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas the faith and strength of character demonstrated by former slaves remain an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

(B) history should be regarded as a means for understanding the past and solving the challenges of the future.

Mr. LEVIN. Mr. President, this week people all across our Nation are engaging in the oldest known observance of the ending of slavery—''Juneteenth Independence Day.'' Although passage of the 13th Amendment, in January 1863, legally abolished slavery, many African Americans remained in servitude due to the delayed dissemination of this news across the country.

It was in June of 1865, that the Union soldiers landed in Galveston, TX, with the news that the war had ended and that slavery finally had come to an end in the United States. This was 2½ years after President Lincoln signed the Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War.

This week and specifically on June 19, when slaves in the Southwest finally learned of the end of slavery, the descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our Nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

Today, I am very pleased that the Senate has unanimously adopted a resolution, S. Res. 496, recognizing the historical significance of Juneteenth Independence Day to the Nation. The resolution, which I sponsored along with Senators HUTCHISON, CARDIN, LANDRIEU, CORNYN, SHERROD BROWN, BOXER, STABENOW, HARKIN, BEGICH, DURBIN, WICKER, LEAHY, BILL NELSON, CASEY, WARNER, AKAKA, WEBB, and LAUTENBERG, expresses support for the observance of Juneteenth Independence Day, and recognizes the faith and strength of character demonstrated by former slaves, that remains an example for all people of the United States, regardless of background or race.

All across America we also celebrate the many important achievements of former slaves and their descendants. We do so because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of African Americans and recognizing the enormous contributions of a people of great strength, dignity, faith, and conviction—a people who rendered their achievements for the betterment and advancement of a Nation once lacking in humanity towards them. Every February, nationwide, we celebrate African American History Month. And, every year on June 19, we celebrate Juneteenth Independence Day.

Lerone Bennett, Jr., writer, scholar, lecturer, and acclaimed executive editor for several decades at Ebony magazine, has reflected on the life and times of Dr. Woodson. Bennett tells us that one of the most inspiring and instructive stories in African American history is the story of Woodson's struggle and rise from the coal mines of West Virginia to the summit of academic achievement:

> At 17, the young man who was called by history to reveal Black history was an untutored coal miner. At 19, after teaching himself the fundamentals of English and arithmetic, he entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College [in Kentucky], he returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received his bachelor's and master's degrees, and Harvard University, where he became the second Black to receive a doctorate in history. The rest is history—Black history.

In keeping with the spirit and the vision of Dr. Carter G. Woodson, I would like to pay tribute to two courageous women, claimed by my home State of Michigan, who played significant roles in addressing American injustice and inequality. These are two women of different times who would change the course of history.

The contributions of Sojourner Truth, who helped lead our country out of the dark days of slavery, and Rosa Parks whose dignified leadership sparked the Montgomery Bus Boycott and the start of the civil rights movement, are indelibly etched in the chronicle of the history of this Nation. Moreover, they are viewed with distinction and admiration throughout the world.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day on the inhumanity and immorality of slavery. She was a leader in the abolitionist movement, and a groundbreaking speaker on behalf of equality for women. Michigan has honored her with the dedication of the Sojourner Truth Memorial monument, which was unveiled in Battle Creek, MI, on September 25, 1999. In April 2009,

Sojourner Truth became the first African American woman to be memorialized with a bust in the U.S. Capitol. The ceremony to unveil Truth's likeness was appropriately held in Emancipation Hall at the Capitol Visitor's Center. I was pleased to cosponsor the legislation to make this fitting tribute possible. Sojourner Truth lived in Washington, DC for several years, helping slaves who had fled from the South and appearing at women's suffrage gatherings. She returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

On May 4, 1999, legislation was enacted which authorized the President of the United States to award the Congressional Gold Medal to Rosa Parks. I was pleased to coauthor this tribute to Rosa Parks—the gentle warrior who decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. I was also pleased to be a part of the effort to direct the Architect of the Capitol to commission a statue of Rosa Parks, which will soon be placed in the U.S. Capitol, making her the second African American woman to receive such an honor.

Her personal bravery and self-sacrifice are remembered with reverence and respect by us all. Over 55 years ago, in Montgomery, AL, the modern civil rights movement began when Rosa Parks refused to give up her seat and move to the back of the bus. The strength and spirit of this courageous woman captured the consciousness of not only the American people, but the entire world. The boycott which Rosa Parks began was the start of an American revolution that elevated the status of African Americans nationwide and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King, Jr. In addition, the overwhelming majority of my colleagues in the Senate joined me in sponsoring legislation authorizing the Congressional Gold Medal to be presented to Dr. King, posthumously, and Coretta Scott King in recognition of their contributions to the Nation. Companion legislation was led in the House by Representative JOHN LEWIS.

We have come a long way toward achieving justice and equality for all. We still however have work to do. In the names of Rosa Parks, Sojourner Truth, Dr. Carter G. Woodson, Dr. Martin Luther King, Jr., and many others, let us rededicate ourselves to continuing the struggle of civil rights and human rights.

I am also pleased to join Senator HUTCHISON and other members of the Senate in sponsoring another measure introduced today in recognition of Juneteenth Independence Day, which will require further action in the Senate. It is a Joint Resolution requesting the President to issue a proclamation each year designating Juneteenth Independence Day as a National Day of Observance, encouraging Americans of all races, creeds, and ethnic backgrounds to celebrate freedom and the end of slavery in the United States.

In closing, I would like to pay tribute to the Juneteenth directors and event coordinators throughout my State of Michigan. They have worked tirelessly in the planning of intergenerational activities in observance of Juneteenth, heading up a wide range of activities over several days in Detroit, Flint, Holland, Lansing, Saginaw, and other areas around the State.

S. RES. 497

(Congratulating the Los Angeles Kings on winning the 2012 Stanley Cup Championship)

Whereas, on June 11, 2012, the Los Angeles Kings were crowned National Hockey League champions after defeating the New Jersey Devils by a score of 6-1 in Game 6 of the 2012 Stanley Cup Finals;

Whereas this is the first Stanley Cup title that the Los Angeles Kings have won since the team entered the National Hockey League in 1967;

Whereas the Los Angeles Kings are the first 8th seeded playoff team to win the Stanley Cup;

Whereas the Los Angeles Kings never allowed an opposing team with a higher seed or home-ice advantage to intimidate them;

Whereas, en route to their first Stanley Cup appearance since 1993, the Los Angeles Kings quickly dispatched the defending Western Conference Champions, the Vancouver Canucks, dominated the upstart St. Louis Blues, and defeated the Phoenix Coyotes, who were the Pacific Division Champions;

Whereas Los Angeles Kings forward Dustin Brown is the first American team captain of a Stanley Cup champion since 1999;

Whereas Los Angeles Kings goalie Jonathan Quick performed admirably in each playoff game, totaling 125 saves and maintaining a .946 save percentage during the Stanley Cup Finals, and winning the Conn Smythe Trophy, which is awarded to the player considered most valuable to his team during the Stanley Cup Playoffs;

Whereas each of the 26 players on the Los Angeles Kings playoff roster should receive recognition, including Most Valuable Player of the Stanley Cup Playoffs Jonathan Quick, team captain Dustin Brown, Jonathan Bernier, Jeff Carter, Kyle Clifford, Drew Doughty, David Drewiske, Colin Fraser, Simon Gagne, Matt Greene, Dwight King, Anze Kopitar, Trevor Lewis, Andrei Loktionov, Alec Martinez, Willie Mitchell, Jordan Nolan, Scott Parse, Dustin Penner, Mike Richards, Brad Richardson, Rob Scuderi, Jarret Stoll, Slava Voynov, Kevin Westgarth, and Justin Williams; and

Whereas team owners Philip Anschutz and Edward Roski, General Manager Dean Lombardi, and head coach Darryl Sutter admirably assembled the team that comprised the 2012 Los Angeles Kings and led them through one dominant performance after another in the 2012 Stanley Cup Playoffs: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Los Angeles Kings on winning the 2012 Stanley Cup Championship; and

(2) commends the Los Angeles Kings fans in California and across the Nation for showing the team support throughout its 45-year history.

Mrs. FEINSTEIN. Mr. President, I am in support of this resolution with Senator BOXER congratulating the Los Angeles Kings on their 2012 Stanley Cup Championship. I would like to take this opportunity to congratulate the players, staff, and fans for obtaining professional hockey's ultimate prize.

The Los Angeles Kings have won the Stanley Cup for the first time in the 45-year history of their franchise. Since 1967 the Kings have proudly represented the Los Angeles community with unwavering commitment. I urge my colleagues to support this resolution.

Mrs. BOXER. Mr. President, I stand today to congratulate the 2011–2012 National Hockey League champions, the Los Angeles Kings. This past season the Kings demonstrated remarkable skill, teamwork, and determination in capturing the franchise's first Stanley Cup.

Thanks to an outstanding roster of seasoned veterans and promising young players, the Kings hoisted the Stanley Cup for the first time in the 45-year history of the franchise. On their historic run, the Kings became the first No. 8 seed to win the NHL championship. On their way to the finals, the Kings knocked off the first seed Vancouver Canucks, the No. 2 seed St. Louis Blues, and the No. 3 seed Phoenix Coyotes before capturing the Western Conference title. Despite their low seed, the Kings were dominant in each of their series, taking a 3-to-0 lead in each and never facing an elimination game.

The Kings continued their dominance in the finals against the New Jersey Devils by once again taking a three-games-to-none lead in the series. The Devils were able to stay alive in games 4 and 5 to force the series to go to six games. However, in game six the Kings once again showed their prowess winning by a score of 6 to 1 and cementing their first championship.

Throughout the season, the Kings were a model of hard work, dedication, and consistency. It is my pleasure to congratulate all members of the Kings organization who worked tirelessly to bring this hard fought victory to Los Angeles. As the Los Angeles Kings and their fans celebrate their first Stanley Cup victory, I commend them on a truly remarkable and memorable season and wish them more success in future seasons.

S. RES. 498

(Designating June 20, 2012, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States)

Whereas on June 20, 1782, the bald eagle was officially designated as the national emblem of the United States by the founding fathers in the Congress of the Confederation;

Whereas the bald eagle is the central image of the Great Seal of the United States;

Whereas the image of the bald eagle is displayed in the official seal of many branches and departments of the Federal Government, including—

(1) the Office of the President;

(2) the Office of the Vice President;
(3) Congress;
(4) the Supreme Court;
(5) the Department of the Treasury;
(6) the Department of Defense;
(7) the Department of Justice;
(8) the Department of State;
(9) the Department of Commerce;
(10) the Department of Homeland Security;
(11) the Department of Veterans Affairs;
(12) the Department of Labor;
(13) the Department of Health and Human Services;
(14) the Department of Energy;
(15) the Department of Housing and Urban Development;
(16) the Central Intelligence Agency; and
(17) the Postal Service;

Whereas the bald eagle is an inspiring symbol of—
(1) the spirit of freedom; and
(2) the sovereignty of the United States;

Whereas since the founding of the Nation, the image, meaning, and symbolism of the bald eagle have played a significant role in the art, music, history, commerce, literature, architecture, and culture of the United States;

Whereas the bald eagle is prominently featured on the stamps, currency, and coinage of the United States;

Whereas the habitat of bald eagles exists only in North America;

Whereas by 1963, the population of bald eagles that nested in the lower 48 States had declined to approximately 417 nesting pairs;

Whereas due to the dramatic decline in the population of bald eagles in the lower 48 States, the Secretary of the Interior listed the bald eagle as an endangered species on the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas caring and concerned individuals from the Federal, State, and private sectors banded together to save, and help ensure the recovery and protection of, bald eagles;

Whereas on July 20, 1969, the first manned lunar landing occurred in the Apollo 11 Lunar Excursion Module, which was named ''Eagle'';

Whereas the ''Eagle'' played an integral role in achieving the goal of the United States of landing a man on the Moon and returning that man safely to Earth;

Whereas in 1995, as a result of the efforts of those caring and concerned individuals, the Secretary of the Interior listed the bald eagle as a threatened species on the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas by 2007, the population of bald eagles that nested in the lower 48 States had increased to approximately 10,000 nesting pairs, an increase of approximately 2,500 percent from the preceding 40 years;

Whereas in 2007, the population of bald eagles that nested in the State of Alaska was approximately 50,000 to 70,000;

Whereas on June 28, 2007, the Secretary of the Interior removed the bald eagle from the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas bald eagles remain protected in accordance with—
(1) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940''); and
(2) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

Whereas on January 15, 2008, the Secretary of the Treasury issued 3 limited edition bald eagle commemorative coins under the American Bald Eagle Recovery and National Emblem Commemorative Coin Act (Public Law 108–486; 118 Stat. 3934);

Whereas the sale of the limited edition bald eagle commemorative coins issued by the Secretary of the Treasury has raised approximately $7,800,000 for the nonprofit American Eagle Foundation of Pigeon Forge, Tennessee to support efforts to protect the bald eagle;

Whereas if not for the vigilant conservation efforts of concerned Americans and the enactment of conservation laws (including regulations), the bald eagle would face extinction;

Whereas the American Eagle Foundation has brought substantial public attention to the cause of the protection and care of the bald eagle nationally;

Whereas November 4, 2010, marked the 25th anniversary of the American Eagle Foundation;

Whereas facilities around the United States, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, rehabilitate injured eagles for release into the wild;

Whereas the dramatic recovery of the population of bald eagles—
(1) is an endangered species success story; and
(2) an inspirational example for other wildlife and natural resource conservation efforts around the world;

Whereas the initial recovery of the population of bald eagles was accomplished by the concerted efforts of numerous government agencies, corporations, organizations, and individuals; and

Whereas the continuation of recovery, management, and public awareness programs for bald eagles will be necessary to ensure—
(1) the continued progress of the recovery of bald eagles; and
(2) that the population and habitat of bald eagles will remain healthy and secure for future generations: Now, therefore, be it

Resolved, That the Senate—
(1) designates June 20, 2012, as ''American Eagle Day'';
(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a means by which to generate critical funds for the protection of bald eagles; and
(3) encourages—
(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and
(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

S. RES. 499

(Recognizing the tenth anniversary of the National Institute of Biomedical Imaging and Bioengineering)

Whereas the National Institute of Biomedical Imaging and Bioengineering Establishment Act (Public Law 106–580; 114 Stat. 3088) was signed into law on December 29, 2000;

Whereas the National Institute of Biomedical Imaging and Bioengineering (referred to in this preamble as the ''Institute'') awarded its first research grants in April 2002;

Whereas the purpose of the Institute, a component of the National Institutes of Health, is to conduct and support research, training, dissemination of health information, and other programs relating to biomedical imaging, biomedical engineering, and associated technologies and modalities with biomedical applications;

Whereas the Institute was established to—
(1) accelerate the development of new technologies with clinical and research applications;
(2) improve coordination and efficiency at the National Institutes of Health and throughout the Federal Government;
(3) lay the foundation for a new medical information age;
(4) promote economic development; and
(5) provide a structure for training current and future researchers based on the most recent innovative discoveries;

Whereas the Institute and the biomedical imaging and bioengineering research communities encourage the integration of the physical and life sciences to advance human health by improving quality of life and reducing the burden of disease through research and discoveries;

Whereas, since its establishment, the Institute has supported research to develop scientific advances in biotechnology, imaging, and biomedical engineering, and to advance the application of biomedical technology to improve detection, treatment, and prevention of disease by assembling diverse teams of scientists and engineers to pursue innovative medical therapies and technologies to better meet the health care needs of patients; and

Whereas the Institute has helped to support scientific breakthroughs in areas such as regenerative medicine, cancer treatments, and nanotechnology, which are helping health care providers to better target care and meet the individual health care needs of patients: Now, therefore, be it

Resolved, That the Senate—
(1) commends the National Institute of Biomedical Imaging and Bioengineering for its leadership in research and its role in advancing technologies that improve patient health;
(2) recognizes the remarkable impact that biomedical research supported by the National Institute of Biomedical Imaging and Bioengineering has had on patients; and
(3) recognizes the importance of maintaining a strong commitment to pursuing the next generation of life-saving treatments and technologies for patients.

ORDERS FOR WEDNESDAY, JUNE 20, 2012

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized; and that following the remarks of the leaders, the Republican leader be recognized to make a motion to proceed to S.J. Res. 37; further, that the time until 11:30 a.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 15 minutes and the majority controlling the second 15 minutes; and finally, that at 11:30 a.m., the Senate proceed to vote on the adoption of the motion to proceed; that if the motion to proceed is agreed to, all other provisions of the previous order with respect to S.J. Res. 37 remain in effect, and that if the motion to proceed is not agreed to, the Senate resume consideration of S. 3240 and the votes in relation to the amendments remaining in order.

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

PROGRAM

Mrs. BOXER. Mr. President, there will be several rollcall votes beginning at approximately 11:30 a.m. tomorrow. The first vote will be on the motion to proceed to S.J. Res. 37, a resolution of disapproval regarding the EPA's mercury and air toxics standards. The additional votes will be on amendments to the farm bill in order to complete action on the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. BOXER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 9:49 p.m., adjourned until Wednesday, June 20, 2012, at 9:30 a.m.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 19, 2012 withdrawing from further Senate consideration the following nomination:

BRETT H. MCGURK, OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ, WHICH WAS SENT TO THE SENATE ON MARCH 27, 2012.