about that. The doctors, in fact, have said she may only have a few weeks to live without a new lung.

At this moment, her government is failing her. Here is the reason I say that. We have law and we have policy that requires that the Health and Human Services branch of the Federal Government, through a third party, develop rules governing how organs are transplanted. This organization which has the direct authority is the Organ Procurement and Transportation Network.

So they set the rules by which we deal with this excruciating situation where there is always more demand for transplanted organs than the supply of organs. Prior to a decision yesterday afternoon, which I will comment on, despite a very high need for a transplant and despite the fact that her doctors believe she is a very good candidate for a transplant, Sarah's name was not on the list of people to receive a transplant simply by virtue of one fact; that is, she has not yet reached the age of 12.

See, the current policy has one very sensible feature. The current policy is meant to establish as the highest priority for recipients people who have the most urgent need. That makes sense. You could have other criteria, such as how long you have been waiting or how much you are willing to pay, but I do not think those would be better. Those would be worse.

The right criteria is who has the most urgent need. So that is right. The problem is it applies only to people who are 12 and over. But there are children under the age of 12 who are very good candidates for adult lung transplants. The medical science is very clear. You take a portion of the lung if the child is too small for a full lung transplant. This is well established. This works. This girl is a good candidate for this, but she is not on the list.

Yesterday, something very important happened. Sarah's parents filed a suit against Health and Human Services challenging the rule that excludes their daughter from this list. The judge considering this, a judge in the Eastern District of Pennsylvania, a Federal judge, Judge Baylson, granted a temporary restraining order enjoining the Secretary and the Organ Procurement and Transportation Network from applying the rule that excludes Sarah.

So this is terrific. This is a big breakthrough for 10 days now. This is the thing. It is a temporary order for 10 days now Sarah cannot be excluded from this list. So what that means is she can go on the list and she will go wherever on the list the urgency of her circumstances puts her. That is as it should be.

The problem is this is only for 10 days, and then the judge is going to have a hearing. We don't know how that is all going to turn out

I am asking Secretary Sebelius, the Secretary of Health and Human Services, to exercise the authority that is given to her in legislation to recognize that there is a flaw in this policy.

I am not asking Secretary Sebelius to make an exception for one individual. I would be the first to suggest that would be a dangerous place to go. We don't want individual Cabinet members, politicians, or anyone else making decisions about who is going to get an organ and who is not. We want a system that works. The current system doesn't work for kids who are good transplant candidates and have the acute need but aren't yet 12 years old.

I am urging Secretary Sebelius, as strongly as I can, to exercise the discretion that the law gives to her to change the policy. Don't change it for one person, change it for a category. I think any child who is a viable candidate for the adult transplant and who has sufficient urgency ought to be able to go on the adult list. That is not to say that they automatically go to the top of the list. Their ranking on the list ought to be determined by the urgency of their circumstances, as it should be for everyone else.

I would argue we are not suggesting that we make an exception for Sarah. What I am suggesting in a way is the opposite: Stop making exceptions that exclude Sarah. She is a good candidate. The doctors believe this.

Children's Hospital of Philadelphia is one of the best children's hospitals in the world. Nobody disputes that. Her doctors are some of the best doctors in the world. This is vitally important. The life of a small child depends on this. I don't know how many other children might be in similar circumstances.

I appreciate the opportunity to rise and make this case. Again, I just want to stress that we are not asking for an exception for one individual to be chosen over others. We are asking for a change in a policy that is flawed; that is currently excluding somebody from being on the list to be an organ donor recipient who ought to be on that list.

I am grateful to Judge Baylson for the decision he made, but that is a temporary restraining order that will only last 10 days. If a transplant does not occur within that 10 days, then Sarah and any other children in her circumstances, their future becomes uncertain after that.

I urge the Secretary to take the action that is necessary.

I note the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

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

THE FARM BILL

Mr. THUNE. Madam President, I had hoped to be able to come down today and call up an amendment to the pending legislation, the farm bill. I understand we are not currently on the bill but, rather, in morning business. I hope to have the opportunity to try to get an amendment pending.

We have been trying now for several days to have amendments considered to the farm bill. This is a germane amendment. It is very relevant to the bill. It is one that I think the Senate, the full Senate, ought to have an opportunity to debate and ultimately to vote on. It is very unfortunate, in my view, that we are where we are on a piece of legislation that has this much consequence for our economy, for farm country, and for consumers across this country.

This is a bill that is a major piece of legislation. Unfortunately, we have not had the opportunity in the course of the days that we have been on the bill to get up amendments pending, debated, and voted on.

I can't tell you how disappointing that is to those of us who come from farm country and wish to try to shape the best farm bill we possibly can in the Senate, so that when we go to conference, which I hope we will, with the House of Representatives, we would be in the best position possible to have a bill that addresses the important needs of farmers and ranchers across this country with regard to certainty from a multiyear farm bill. This would also be a bill that we can defend to the American taxpayers, a bill that is reform oriented. It moves us into the future of agriculture, not the past.

The amendment I had hoped to offer today, amendment No. 1092, amends the commodity title of the farm bill that we have been debating. Last year the Senate passed its farm bill by a vote of 64 to 35. Sixty-four Senators voted for a farm bill that most of us believe offered a level of reform that we could support and defend to the American taxpayer.

As several of my colleagues and I pointed out during the debate on the farm bill in the Agriculture, Nutrition and Forestry Committee, we have deep concerns over what we believe is a step backwards in the commodity title with the creation of the adverse market payments, or what we refer to as the AMP Program. This program takes a step backwards from last year's farm bill by recreating a program with countercyclical payments and fixed target prices.

In fact, I would argue this is a policy that goes back. This policy predates cell phones. This policy predates the Internet. This is going back to 1980s-type farm policies. Last year's Senate farm bill completely eliminated this program, which meant we could honestly say we had passed a reform-minded farm bill, a farm bill that is more interested in policies that are about the future rather than the past, that are about the market, that are about making sure we have a necessary safety net in place for our farmers but

doing it in a way that is defensible to the American taxpayer and moves us on the path to reform.

Our concerns are not crop specific. There has been a lot of discussion about this being something between the Midwest or the South or regional. This is not a crop-specific concern; this is a policy-specific concern. An outdated target price program is not—is not—what most producers in this country asked us for in a new farm bill—just the opposite.

Almost every member of the Agriculture, Nutrition, and Forestry Committee was told by our producers that a sound crop insurance program is a much higher priority. Amendment No. 1092 is simply a response to the wishes of most farmers in the United States. This amendment strikes the newly created AMP Program and places peanuts and rice back into the ARC Program or, to put it simply, this amendment replaces the commodity title in the bill that we have before us and replaces it with a reform-minded, market-oriented commodity title that was included in the farm bill that we passed last year.

I do not believe Congress is capable of setting accurate fixed prices for the next 5 years because that is precisely what the commodity title is in this bill. The House bill commodity title is even much worse in that respect. It has Congress setting, by statute—we, as Members of Congress are basically setting fixed prices for the next 5 years. The market, not Congress and not the USDA, should be setting prices for title I commodities.

If fixed target prices are set too high and commodity prices drop, history has proven farmers will once again begin planting for a government program rather than in response to market signals. This not only creates a potential unnecessary liability for taxpayers, but it also increases the risk of overproduction and negative impacts on global markets, making certain crops subject to possible WTO disputes.

This amendment not only moves us to the reforms we included in last year's farm bill, it also saves taxpayers more than $3 billion. That increases the total savings in this bill by more than 12 percent. That is $3 billion that most of our farmers have told us we don't need to spend. This is something the American farmer, the producers out there have made very, very clear and of which I would argue the American taxpayer would be very supportive.

I urge my colleagues, if we get the opportunity to debate this, to ultimately support this amendment because it would recapture the level of reform we had in last year's farm bill and save $3 billion at the same time.

There are many amendments that were filed to this bill that are not getting debated, that are not getting voted on. This is one in particular to the commodity title of the bill that saves over $3 billion from the bill before us today—over $3 billion in savings—by moving toward a market-oriented policy as opposed to a high fixed target price policy where the Congress sets in statute the target prices rather than having the market determine what those prices ought to be. That is one amendment I have offered to the commodity title of the bill.

I have another amendment to the SNAP or food title or nutrition title of the bill which would save $2 billion out of overhead administrative costs. It doesn't affect beneficiaries or income or asset eligibility standards; it simply finds savings in the food stamp program that are related to overhead administrative costs and saves $2 billion. We ought to be voting on that.

We ought to have an opportunity to debate these things and vote on these amendments. I know colleagues of mine as well have offered amendments that save dollars and make this a more responsible farm policy—a policy that is oriented toward reform and that achieves a significant amount of savings for the American taxpayer.

So I want to say again what I said at the beginning of my remarks; that is, it is unfortunate that we are where we are—debating a bill that over a decade will cost nearly $1 trillion. Of course, about 80 percent of that is in the nutrition title of the bill. But we have an opportunity to actually improve this as it moves across the floor of the Senate and proceeds into a conference with the House of Representatives, where they will have passed a bill out of the Agriculture Committee which will head to the floor and has high fixed target prices—higher fixed target prices than are included in the Senate bill—and high fixed target prices for all commodities, as opposed to the Senate bill, which has them simply for rice and for peanuts.

We are looking at heading down a path that takes us not to the future but to the past—to a time when farmers were farming for the government program rather than farming for the market; to a time when there were lots of potential disputes because these are trade-distorting, market-distorting policies that are driven by government as opposed to being driven by the market. We can do so much better, and we should do so much better for our producers across this country and for the taxpayers who ultimately foot the bill.

The amendment I have would do that. It would save over $3 billion in the commodity title of the bill, it is market-oriented reform, and it is something we ought to be considering and debating in the Senate. It is incredibly unfortunate that we are not having that opportunity.

Madam President, I yield the floor.

Ms. COLLINS. Mr. President, I rise today to speak to an amendment to the farm bill on a subject important not only to the farmers of Maine but also to the participants in the WIC program. I am pleased that Senator MARK UDALL has joined as the lead cosponsor of the amendment, which would require that all fresh fruits and vegetables, including fresh white potatoes, be included in the final USDA rule. Specifically, the amendment would only allow fresh, whole, or cut vegetables to be included—vegetables with added sugars, fats, or oils would be prohibited.

The proposed final USDA rule for the Special Supplemental Nutrition Program for Women, Infants, and Children, WIC, food package, which went into effect in December 2009, includes a ban on the purchase of fresh white potatoes by WIC participants. Fresh potatoes are the only fruit or vegetable to be excluded, which sends a message to WIC participants that USDA believes that potatoes are not healthy.

The USDA has said that the proposed ban on fresh white potatoes is based on a 2005 National Academies' Institute of Medicine, IOM, report, which considered recommendations of the 2005 Dietary Guidelines for Americans, DGA, and includes consumption data nearly 20 years old. The subsequently published 2010 DGA, however, recommends 5 to 6 cups of starchy vegetables per week for women with a daily caloric intake of 1,800 to 2,400 calories—an increase of 2 to 3 cups per week from the 2005 DGA. USDA has yet to update the rule to reflect the most recent DGA.

The 2010 DGA lists four ''nutrients of concern''—potassium, dietary fiber, calcium, and Vitamin D. The guidelines state that dietary intake of these four nutrients ''are low enough to be of public health concern for both adults and children.'' Since USDA is concerned about a lack of these nutrients in the American diet, it would make sense for the Department to promote good sources of these critical nutrients. Yet the Department's proposed WIC rule eliminates a vegetable such as the potato that is an excellent source of these nutrients. USDA should not limit the availability of the potato but instead should encourage its healthy preparation and consumption. In a rather puzzling example of inconsistency, while the newest WIC regulations will no longer allow WIC mothers, infants, and children to buy white potatoes, if those same participants get benefits from the WIC Farmers' Market Nutrition Program, some States may allow them to purchase white potatoes at a farmers' market.

Consider the following nutritional facts about potatoes that are often overlooked: potatoes have more potassium than bananas, a food commonly associated with this nutrient; potatoes are cholesterol free, fat free, and sodium free, and can be served in countless healthy ways; a medium-baked potato contains 15 percent of the daily recommended value of dietary fiber, 27 percent of the daily recommended value for Vitamin B6, and 28 percent of the daily recommended value of Vitamin C.

It only makes common sense to include a healthy, locally grown, and nutritious vegetable such as the fresh white potato in the WIC package and I

believe the sound recommendations in the 2010 DGA support this. The Collins-Udall of Colorado amendment would achieve this by requiring that all fresh fruits and vegetables, including fresh white potatoes, be included in the final USDA rule.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS CODY J. TOWSE

Mr. LEE. Madam President, it is with a heavy heart that I address the Senate today, as I rise to honor a recently fallen soldier. PFC Cody J. Towse, one of Utah's finest, was killed last month when his patrol was hit by an improvised explosive device in Kandahar Province, Afghanistan.

PFC Towse loved to help others. He served as a combat medic in the Army, and was a certified EMT and a volunteer firefighter prior to enlistment. He put his special skills to use in serving the United States by saving other soldiers. He recently received a Combat Medic award for performing his medical duties while being actively engaged by the enemy.

Before enlisting in the Army, Cody started a blog to chronicle his time in the military, which he hoped would help other prospective recruits. His blog is filled with comical posts, as well as insightful truths and prophetic statements. In his first post, he wrote, ''I've never been quite so excited for anything in my life. I've grown tired of living a mediocre life and can't wait to start a journey full of responsibility, honor, and dedication.'' PFC Towse lived up to that ideal, and left a shining example for the world to follow.

A Utah newspaper wrote that PFC Towse ''was known as the 'Candy Doctor'—a name he earned by showering the children with countless handfuls of fruity or chocolate treats.'' His father, Jim Towse said that Cody ''was my boy. He was me. I love old cars, he loves old cars. Seems like everything I love, he loved.'' Their special relationship was the kind that only a father and his son could have. Jim also said, ''It comforts me to know [Cody] went for a noble cause. He told me, 'You know, Dad, if I go out in a blaze of glory, don't worry. If I can save somebody doing it, all the better.' ''

In another blog post, written just before leaving for Afghanistan, PFC Towse poignantly wrote of the deeper thoughts and conflicting feelings our soldiers often face:

> I feel like we all walk a fine edge, emotionally at least. A man can't sit around and contemplate the impending possibility of his death all day or he'll go crazy. It can be just as bad for a man to sit around and joke like nothing could ever happen to him and breed a lackadaisical outlook on his mission and get himself or his buddies killed.
>
> Now I'm just rambling. I guess in short I just wanted to say that sometimes the biggest obstacle a man faces is himself and his mind. Yeah, that sounded educated, I'll go with that.

Indeed, each of us would do well to remember and apply the truth of which PFC Towse wrote. In order to overcome challenges in our lives, we must first overcome our own fears and perceived inadequacies. I believe that Cody Towse lived his life according to this truth.

His commander in Afghanistan reported that when the patrol was attacked, PFC Towse began assisting the wounded. As PFC Towse was performing his duties, a second IED was detonated and the resulting injuries took his life. When I heard of Cody's story, I was reminded of Christ's teaching: ''Greater love hath no man than this, that a man lay down his life for his friends.'' PFC Towse's dutiful actions were unquestionably an ultimate display of love for his brothers in arms.

I imagine that Cody, like many of our service men and women, would deny the claim that he is a hero. To Cody, and all of our soldiers, I would say that you are among the few heroes left in our modern world. As Americans, we all feel a profound sense of pride and honor when we see a uniformed soldier, and we would be wise to remember our heroes in all that we do, especially in this body.

I thank PFC Cody J. Towse for his honorable service in defense of the Constitution and our freedom, and I thank all of our men and women who have also given the ultimate sacrifice. I would like to convey my condolences and profound gratitude to Cody's parents, Jim and Jamie, his brothers Will and Christian, and his sister Callan. Our thoughts and prayers are with you. It is my solemn hope that we, as Senators, will always remember the tremendous sacrifice, laid upon the altar of freedom, of our brave soldiers and their families.

OFFICE OF RURAL EDUCATION POLICY ACT

Mr. ROCKEFELLER. Madam President, I was proud to join Senator BAUCUS from Montana in introducing legislation on Tuesday to establish an Office of Rural Education Policy at the Department of Education. Senator BAUCUS has been a tireless advocate for many issues affecting rural States like Montana and West Virginia, and I have been proud to work with him on several rural issues over the years. Notably, Senator BAUCUS and I are fortunate to have terrific partners in our work to improve rural education, including a diverse array of organizations that support this bill.

Nearly one quarter of the students in America attend rural schools and the share of students in rural schools is increasing and more than half of the schools in West Virginia are in rural areas. This legislation will support these schools because it creates an Office in the Department of Education to make sure that Federal programs related to education are working for students in schools in rural areas.

Schools in rural communities face special challenges but, they also have unique capabilities. Many of them continue to face shrinking local tax bases, difficulties recruiting and retaining teachers and principals, limited access to advanced courses, and proportionally higher transportation costs. At the same time, while smaller schools lack economies of scale, they may benefit from this small size and closeness to their communities. Parental involvement and support is typically high, and the potential for innovation is great.

I am very proud of the communities in West Virginia and how they come together, often on their own time and with their own resources, to improve and support their local schools. Schools in West Virginia are also leaders in the use of distance learning given the geographical obstacles of our mountainous State. But, we need to make sure rural schools, including many in West Virginia, have the tools to succeed and access to the same opportunities that many schools in urban areas have, including health care, technology, and education.

The Office of Rural Education Policy is modeled after the successful Office of Rural Health Policy at the Department of Health and Human Services, which Congress established in 1987. The Office will be led by a director charged with coordinating the activities of the Department of Education concerning rural education. It will establish and maintain a clearinghouse for issues faced by rural schools, such as teacher and principal recruitment and retention; partnerships with community-based organizations; and financing of rural schools.

The office will identify innovative research and demonstration projects on rural schools, and recommend research to bridge any gaps. It will issue an annual report on the condition of rural education, and an analysis of the impact on rural education from proposed regulations and other activities will be made public.

Rural schools have been a part of our national fabric since its very beginning. These students deserve the attention from the Department of Education this legislation will provide. It has been said that education in rural America is ''too large to be ignored but too small and diverse to be highly visible.'' We need to establish this Office so that education in these communities can thrive and so that its successes are more visible. I urge my colleagues to support this bill.

FORTY-EIGHTH ANNIVERSARY OF GRISWOLD v. CONNECTICUT

Mr. BLUMENTHAL. Madam President, I rise today to recognize the 48th anniversary of the landmark Griswold v. Connecticut Supreme Court decision. Nearly 50 years ago, the Court greatly expanded women's access to health care by legalizing the use of contraception by married couples, basing this decision on a fundamental right to privacy in family planning decisions made between a man and a wife.

We have come a long way since 1965. Today, options for birth control are