

you have to determine which issues the sides will never be able to agree upon and set those apart for another day's debate. That is what I call my 80-20 rule.

There are some issues in every topic we talk about here that have already been talked about so long that both sides are already so polarized that if you mention one word with that particular issue, everybody plunges into the weeds and states the same arguments they have always done without listening to what the other side is saying. I have found you can work through those issues as well, as long as you can get people back up to the surface, out of the weeds, and get them to figure out something that allows both sides to save face. Yes, there is that problem around here, too. This formula has worked in the past for the very issue we are discussing today, which is mine safety.

In 2006, when I was the chairman of the HELP committee, we were faced with a string of tragic mine accidents in West Virginia. In response to the first one, Senator ROCKEFELLER and Senator Kennedy and I organized a trip to the Sago mine in West Virginia to meet with the miners, to meet with the victims' families, and to meet with the investigators. The three of us, along with Senators ISAKSON, MURRAY, and Byrd, then began negotiations. We were able to come up with an agreement in less than 2 months. It was called the MINER Act. It was the first major revision of the Mine Safety and Health Act since 1977. That has to be some kind of a record around here, but it was important and it was worked in a bipartisan way. That was done through a recess period as well.

Agreements have been formed on over a dozen important proposals, as I mentioned. Others are very close to an agreement. I am hoping that people will come back to the table, work through the time until elections are over and get this finished.

The MINER Act made important improvements to the emergency preparedness of underground mines—this one for the Sago mine—and has fostered tremendous improvements, particularly in communications technology adaptability to the underground environment. We are talking about being able to talk through several hundred feet, in some cases 1000 feet of granite. If you ever try to get a cell phone to work through a mountain or building, you will see what kind of problem they have. But tremendous improvements have been made because there is a market for it, mining is increasing, and the safety is essential. And we made it a part of that Miner Act.

One of the reasons I am so proud of the Miner Act is that we wrote it in the way I believe all legislation should be drafted. We brought in all of the stake-

holders. We brought in the union, we brought in the nonunion people, we brought in the industry, we brought in the safety experts, and we brought in the investigators. The Mine Safety and Health Administration and all of these people sat around a table and worked through the biggest safety concerns and the best way to approach them. Because of the bipartisan nature of the bill, it sailed through a committee markup, it was passed by the Senate unanimously a week later—that is as bipartisan as you can get—and it passed the House 2 weeks later, and there were only 37 House Members out of 435 opposing it. One more week later it was signed into law. That is how laws get done and make a difference.

During my tenure as the chairman of the HELP committee we were able to move 27 bills to enactment that way. In total we reported 35 bills out of committee and of those 35, 25 passed the Senate. We ran out of time on the others or we would have gotten those, too. That is the kind of cooperation and accomplishment Americans are demanding, especially on an issue as important and timely as workplace safety. Every day, thousands of Americans go to work in the energy production industry. The work they do benefits every single one of us and underpins our entire economy. This year, major accidents in the energy producing sector have taken the lives of 29 men in West Virginia, 6 in Connecticut, 7 in Washington State, 3 in Texas, and 11 off the coast of Louisiana.

If there were ever a time to work together to actually enact legislation, as opposed to playing political theater, this should be it.

It can be done. There is progress being made. My staff has not walked away from the table and I resent any articles that say that. I am impressed and in agreement with the agreements that have been made so far. I keep constant track of those. It should not take very long to finish the six or seven that are very close to being resolved and then it should not take very long for the Members to sit down and resolve the ones that are left after that.

We can have a mine safety bill. We cannot have it this week. I am sure we cannot have it next week. The House has already done a mine safety bill so we have to conference that. It is going to take a little bit of time, although for the bill we are working on, I think, and in a bipartisan way, it could be done unanimously on this side. The Senate would then do it unanimously, and it is very likely for the House to follow very closely—follow suit and finish it up very well. I think that is what the American people expect.

Articles about things falling apart are not nearly as useful as keeping people together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

FOOD SAFETY

Ms. KLOBUCHAR. Madam President, as I listened to my friend from Wyoming, I was thinking, "Ditto for the food safety bill." This is a bill for which there is vast bipartisan support. There always has been, from the moment it was introduced with four Democratic Senators, including myself, and four Republican Senators. Of course, the bill has been led by Senator DURBIN from the very beginning, and Senator HARKIN has played a key role. This has been a bipartisan bill. Given that we have only seen more foodborne illness outbreaks over the last few months, there is no reason we should not pass this bill. I rise today to urge my colleagues to support this bill.

I have stood here many times in support of the food safety bill. Part of this is because we had a very tragic thing happen in our State. We had three people die after the peanut butter that came out of Georgia, that peanut plant in Georgia. Three of the people who died were from Minnesota. One of them was named Shirley Almer. Her family expected her home for Christmas in 2008. She was a strong-spirited 72-year-old grandmother from Perham, MN. She had survived 2 bouts of cancer but she was actually recovering and doing quite well in recovery with a brief stay in a nursing home.

But she didn't make it home for Christmas that year. She died on December 21, 2008. It wasn't the cancer that killed her. She had battled that cancer. In fact, it was a little piece of peanut butter on her toast that 72-year-old grandmother ate. She didn't know it, but the peanut butter was contaminated with deadly salmonella bacteria. Shirley Almer and two other Minnesotans are among the 9 deaths officially related to peanut products, which also sickened nearly 700 people nationwide, many of them children. Shirley's son Jeff has stepped forward as a strong voice calling for reform of our food safety system.

Whether it is jalapeno peppers or peanut butter or, most recently, eggs, these outbreaks of foodborne illness and nationwide recalls of contaminated food highlight the need to better protect our Nation's food supply.

The good news is we know how to protect our Nation's food supply and we have legislation sitting on the table, literally sitting on the table, that could go a long way toward doing that. Sadly, that legislation has been stalled in the Senate since last November and now, as far as I understand, our colleague from Oklahoma has some concerns and at this late hour it is still stalled.

We know we can not afford any more delays. As one of the lead sponsors of the FDA Food Safety Modernization Act, I believe the Senate has every reason to pass this legislation. It is comprehensive. It covers everything from ensuring a safe food supply at the front end to ensuring a rapid response if tainted food gets into the supply chain. As I mentioned, it is bipartisan. You know what else about this legislation, which doesn't always happen with food safety consumer protection legislation? This has the support not only of consumer groups, not only of health groups, it has the support of many in the food industry including SUPERVALU, a very large food chain including Cub Foods, located in Minnesota.

I did an event back in Minnesota with the CEO of SUPERVALU a few weeks ago on this issue. Why do our businesses care? Of course they care because they want to have safe food for the consumers. They also care because this is hurting their bottom line, when there are these scares that encompass food and people are scared. We were standing there and a woman went by and said, I don't know if I want to buy eggs and the CEO said, you know what, not one egg was recalled from our huge food stores all over the country—Cub Foods, SUPERVALU—not one egg, but consumers don't always know that. But when you have a bad actor, when you have one company, one factory as you had in Georgia, it can ruin it for everyone—consumers, obviously tragic for them, tragic injuries, but it also hurts the bottom line for these businesses that have not done anything wrong.

Hormel, the maker of Spam, was standing with us at SUPERVALU that day, talking about how important it was. General Mills, Schwans support this bill. We have widespread support in our food industry because they don't want to see another person get sick from tainted food.

Finally, we all know this legislation addresses a very serious issue. According to the Centers for Disease Control, foodborne disease causes about 76 million illnesses, 325,000 hospitalizations, and 5,000 deaths in the United States each year. Yet, for every foodborne illness case that is reported, it is estimated that as many as 40 more illnesses are not reported or confirmed by a lab because people simply don't know why they got sick. The annual costs of medical care, lost productivity, and premature deaths due to foodborne illnesses is estimated to be \$44 billion.

There is a lot at stake here, a lot at stake for human life, and there is a lot at stake for the economy. As you know, 2 years ago, hundreds of people across the country suddenly got sick with salmonella. Once it hit Minnesota, and once people died in Minnesota, sadly, it took only a few days before the University of Minnesota and

the Minnesota Health Department, our "food detectives" as they are called, or "team diarrhea"—which my staff didn't want me to say on the Senate floor but that is what we call them—worked together and they were able to solve this. How do they do it? Simple detective work. They simply called the families and homes of people who had gotten sick, people who had gotten very sick, they talked to their loved ones: Where did they eat? When did they eat? What did they eat?

They literally solved it in a matter of days. One State solved the jalapeno pepper problem—Minnesota. One state solved the Georgia peanut problem. That was Minnesota. That is why there is something to be learned from the model we used in our State.

That is why I included it in the Food Safety Modernization Act and why it is supported by so many people and so many grocery stores across the country as well as consumer groups, the bill I introduced with Senator CHAMBLISS of Georgia, the Food Safety Rapid Response Act. Building on successful efforts at detecting and investigating foodborne illnesses, this will strengthen the ability of the Federal and State and local officials to quickly investigate and respond to foodborne illness outbreaks.

I am proud to have Senator CHAMBLISS, from the State of Georgia, that had to have this experience. When it was finally discovered where this came from, it was from one company, one bad actor in their State. He was willing to come with me on this bill because we said enough is enough. We have to put prevention in there, which is in this bill, to stop these things from ever happening. But if it does happen, you want to solve it as quickly as possible so you don't get more people getting sick and dying.

What this part of the bill does, the part Senator CHAMBLISS and I introduced, it directs the CDC to enhance the Nation's foodborne surveillance systems by improving collection, analysis, reporting, and usefulness of data on foodborne illness.

This includes better sharing of information among Federal, State, and local agencies, as well as with the food industry and the public. It directs the Centers for Disease Control to work with State-level agencies to improve foodborne illness surveillance.

Finally, the legislation establishes food safety centers of excellence. The goal is to set up these food safety centers at select public health departments and higher education institutions around the country. It takes the Minnesota example across the country, first with five centers—not to directly tell each State exactly what to do but to be an example of best practices for a region of the country.

Not many bills that come before Congress enjoy such a wide range of sup-

port from some important stakeholders. Not only do consumers recognize the critical need for this major bill, but the legislation has received support from major brand-name food companies. They know what is at stake. Their reputation and their bottom line depends on the trust of their customers, the trust that everything possible is being done to make sure their food is safe.

As a former prosecutor like yourself, Mr. President, I have always believed the first responsibility of government is to protect its citizens. In this most basic duty, our government failed Shirley Almer and many others who have been harmed by recent recalls. We owe it to them and all Americans to fix what is broken in our food safety system.

We can do a lot better with our food safety system. That is why we need to pass this legislation now.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) The Senator from Ohio is recognized.

OUTSOURCING

Mr. BROWN of Ohio. I appreciate the comments of Senator KLOBUCHAR, who has been a leader on moving forward on this legislation on food safety. It is so important to our country. I am so sorry that pretty much one obstructionist, or a whole party of obstructionists, unfortunately, have blocked this bill, and one Senator in particular has kept us from moving on this bipartisan bill. It is one of the sad chapters of this Senate that a small minority, again, can block us from doing the things we ought to do in our jobs, what we ought to be doing.

I want to talk for a moment about some positive developments in my State. A couple of weeks ago I went to Lordstown, OH. It has a General Motors plant. I believe Governor Strickland was asked to drive the first red Cruze, Chevy Cruze, their highest mileage new car, off the line, followed by a white Cruze and a blue Cruze. You know the symbolism of that and the beauty of that and the inspiration of that in many ways was all about what has happened in the last 18½ months to the auto industry.

I am particularly proud. I do not come to the floor and endorse one particular company ever. I am not doing that. I am proud of this because of what it looked like a year and a half ago.

Now, 18 months ago we remember what happened: Barack Obama took the oath of office. The banks had about imploded. We knew the financial system was close to collapse. We knew the auto industry was facing bankruptcy.

President Obama took office in the midst of losing 700,000 jobs a months. President Bush was leaving office, having left us—the largest in history at