

money to States to help them develop these procedures that will minimize the kind of dangers that occur to children when they are exposed to food that can cause them life-threatening diseases and illness.

The Food and Drug Administration is responsible for regulating 80 percent of the Nation's food supply. But for too long, the FDA has lacked the resources and authorities necessary to adequately protect our food. This bill recognizes we cannot underfund this critical agency and gives the FDA the tools necessary to protect our food and our health.

In fact this bill establishes, for the first time, a mandatory inspection schedule, which was a priority for many who worked so tirelessly on food safety. Under the provisions of S. 510 the number of inspections conducted by the FDA will increase from 7,400 in 2009 to nearly 50,000 in 2015. Mr. President, we need these inspections. We need to pass this bill.

I am hopeful that my colleagues will recognize the importance of passing the FDA Food Safety Modernization Act. Because every family sitting down to dinner tonight deserves to know that all reasonable measures have been taken to ensure the safety of the food they are eating. It's time we put politics aside for the sake of America's families and get this bill passed.

I want to comment quickly, before my time expires, on the comments of my good friend from Georgia who just spoke, SAXBY CHAMBLISS. This was a difficult bill to put together. I commend my colleague from Montana, JON TESTER, who represents an awful lot of small farmers, small food processors.

Putting this bill together required compromise. It is what we do in this Chamber every single day, and so had we not included the Tester language in this bill I think we would have had a hard time passing the legislation. The argument would have been: Well, you have included the small truck farmers who, frankly, cannot subject themselves to the kind of rules that large producers of food can, and we would have put the whole bill in jeopardy.

By adopting the modified Tester language, we have made it possible for this bill to become law. So I commend my fellow Senator from Montana for his work. I commend Senator HARKIN, the chairman of the committee, for bringing this all together to the point where, despite all of the allegations that this body cannot come to a common agreement on a matter as important as this one is wrong. We can when we work at it, and we have done so with this bill.

I urge my colleagues to be supportive of this very important and historic piece of legislation.

I yield the floor.

Mr. DURBIN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF ELECTION

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election to fill the unexpired term for the State of Illinois. The certificate, the Chair is advised, is in the form suggested by the Senate.

If there be no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

There being no objection, the certificate was ordered to be printed in the RECORD, as follows:

STATE OF ILLINOIS

Executive Department

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to Certify that on the Second day of November, Two Thousand and Ten, Mark Steven Kirk was duly chosen by the qualified electors of the State of Illinois a Senator for the unexpired term ending at noon on the third day of January, Two Thousand and Eleven, to fill the vacancy in the representation from said State in the Senate of the United States caused by the Resignation of then-Senator Barack Obama.

Witness: His Excellency Our Governor, Pat Quinn, and our seal hereto affixed at the City of Springfield, Illinois, this Twenty-Third day of November, in the year of our Lord Two Thousand and Ten.

By the Governor:

PAT QUINN,
Governor.

JESEE WHITE,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-elect will now present himself at the desk, the Chair will administer the oath of office.

The Senator-elect, MARK KIRK, escorted by Mr. DURBIN and Mr. Fitzgerald, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause, Senators rising.)

Mr. REID. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

FDA FOOD SAFETY MODERNIZATION ACT—Continued

Mr. HARKIN. Mr. President, in about 35 minutes we are going to be voting on cloture on the food safety modernization bill, a bill that brings us forward almost 70 years. Seven decades it has been since we have modernized or changed our food inspection and safety system in America. So we are taking that step tonight. Hopefully, we will have a final vote on it by tomorrow.

I just want to take a few minutes now before that vote to again lay out why this bill is so important and why we need to invoke cloture tonight so we can have a final vote on this bill tomorrow.

First of all, the statistics are that Americans are getting sick and they are dying because of foodborne illnesses. You would think in this day with modernization and such we would not have this.

Madam President, 325,000 Americans every year are hospitalized and over 5,000 die. Many of these are kids. I have met them with a group called Safe Tables Our Priority. I have met some of these kids. They will be damaged for life, I say to my friend from Illinois, Senator DURBIN, who has been such a leader on this bill. In fact, I daresay we would not be here were it not for Senator DURBIN's leadership in getting this bill started, how many years ago I do not know.

Mr. DURBIN. Will the Senator yield for a question.

Mr. HARKIN. I would be glad to yield.

Mr. DURBIN. First, I thank the Senator from Iowa for his leadership on this issue. The fact is, it was almost 18 years ago when I received a letter from a woman in Chicago—written to me as a Congressman—named Nancy Donley. Nancy had a personal tragedy. Her 6-year-old son Alex died from E. Coli from food Nancy literally prepared for him in their home. She wrote to me a handwritten letter, to me as a Congressman from Springfield, IL, 200 miles away, saying we have to do something about food safety.

Nancy lost her son, but she never lost her passion for this issue. As the Senator said, she formed the organization Safe Tables Our Priority, which has been an effective voice for so many others to bring us to this moment.

But, for the record, I have worked on this issue for a long time, and we would not be on the Senate floor tonight with this historic vote were it not for the Senator from Iowa who has led the effort. Senator TOM HARKIN has, with the help of Senator MIKE ENZI and a number on the other side of the aisle who have stepped up to make this bipartisan. This is a reasonable approach to