United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, TUESDAY, JUNE 19, 2012 No. 93

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.