

tax side, that helps local communities pay for basic services, and it is critical in this time of decreasing local and State budgets.

If we think about it, all of these figures—the jobs, the revenues, the investments—are prime for significant growth going forward. But that future and that growth are going to be threatened unless we act, unless the Congress acts to extend the production tax credit.

Just last week, Gamesa—which is a global leader in the manufacturing of wind turbines—announced it is ending the development of the Shaffer Mountain Wind Farm, which is in northeastern Somerset County. This project would have ultimately ended up with 30 new wind turbines, and it was planned to come online in 2013. That is just 6 months from now. But because of the uncertainty tied to Federal policies, such as the production tax credit, Gamesa has sidelined this project.

In short, our inaction is costing this community jobs, this Commonwealth of Pennsylvania jobs. It does not make any sense in the current economic environment we now face and as our Nation is desperately focused on becoming more energy independent.

The Pittsburgh Post-Gazette made the point that this is the third wind project under development that has been stopped—all in the last month—just because of the uncertainty we have created here by not extending the PTC. These are on-the-ground examples of how congressional inaction is costing American jobs and investment.

I know the Acting President pro tempore knows this is not a partisan or regional issue. There is strong bipartisan support for extending the production tax credit, and the wind industry has a presence in almost every single State in our country. So if we look at the overall picture, this is not the time for companies such as Gamesa to grow, reluctant to invest in the future. So we have to expand the PTC. It will incent this industry to continue its rapid growth, and it will build a strong foundation for a 21st-century clean energy economy.

So I am again on the floor urging my colleagues to work with me to extend the wind production tax credit as soon as possible.

As I close, I want to highlight an event that is on Capitol Hill today where Members, staff, and others can learn more about the potential of wind energy, as well as other types of renewable and energy-efficient technology.

That event is the 15th Annual Renewable Energy and Energy Efficiency EXPO. It is underway all day in the Cannon Caucus Room on the House side.

The bipartisan Senate Renewable Energy and Energy Efficiency Caucus, which I cochair along with Senators LIEBERMAN and CRAPO, is an honorary cohost of the event. I encourage all of us to go over there, look at the technologies. They are awe inspiring. They

are awesome. They are truly the future. When we implement policies that will help these technologies penetrate all of these various markets, we are going to continue to be a leader in the clean energy economy.

So I will be back next week to talk about the wind production tax credit. I will be here every day until we pass it and extend it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN of Ohio.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, what is the pending business?

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 agriculture programs through 2017, and for other purposes.

Ms. STABENOW. Mr. President, before reading our order of amendments, I wish, one more time, to say thank you to everyone. We have had two very productive, hard-working days. I thank my ranking member for his incredible leadership and all our staffs.

Today, we have an opportunity to show that the Senate can come together—and we have been doing that—to pass a significant piece of public policy for Americans. I ask unanimous consent that notwithstanding the previous order, the amendment votes occur in the following order and that all other provisions of the previous order remain in effect: Boxer amendment No. 2456; Johanns No. 2372; Toomey No. 2247; Sanders No. 2310; Coburn No. 2214; Murray No. 2455; McCain No. 2162; Rubio No. 2166.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2456

Mrs. BOXER. Mr. President, I call up my amendment No. 2456.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 2456.

The amendment is as follows:

On p. 1009, after line 11, add the following:
SEC. 122 . . . REQUIREMENTS FOR AERIAL OVERFLIGHTS OF AGRICULTURAL OPERATIONS TO PROTECT PUBLIC HEALTH AND SAFETY.

The Administrator of the Environmental Protection Agency, pursuant to her responsi-

bility to protect public health and safety, shall only conduct aerial overflights to inspect agricultural operations if the EPA Administrator determines that aerial overflights are more cost-effective than ground inspections to the taxpayer and the Agency has notified the appropriate State officials of such flights.

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

Mrs. BOXER. Mr. President, Senator JOHANNNS has an amendment which would stop the EPA from ever using any kind of airplanes—including manned small planes, which is all they do use—to check on serious pollution spills.

I wish to say this is about life and death. I hope the Senate will support the Boxer amendment and vote no on the Johanns amendment because the Boxer amendment says the EPA can only use these overflights if it has to do it to protect the health and safety and if it has been approved by the State.

This pollution could cause serious illness, and they want to make sure they can track the plume. We have heard of cryptosporidium, E. coli, and giardia. That is what we are talking about—terrible bacteria that sometimes comes from animals.

In 1993, at least 50 people died from the bacteria cryptosporidium in Milwaukee, and it came from animal waste. The EPA has never used a drone, and they don't plan to, but don't stop them from using small aerial oversight.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNNS. Mr. President, given the EPA's recent track record with agriculture—if not downright contempt for it—farmers and ranchers simply don't trust the EPA. They could have done this program right and reached out to the congressional delegations in Nebraska and Iowa and said: Here is what we are doing. Here is the plan. They did not.

I found out about this accidentally. I have requested information—in fact, our entire delegation has—and the administrator has been nonresponsive. That is why the amendment is here. It is an amendment based on a lack of trust for the EPA. This maintains the status quo. This will change nothing. It will rubberstamp what they are doing.

I ask my colleagues to oppose the amendment and support the next amendment, which I will call up in due time.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll. This is a 60-vote threshold.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Alabama (Mr. SHELBY), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—47

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

NAYS—48

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

NOT VOTING—5

Johnson (SD)	Menendez	Toomey
Kirk	Shelby	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for passage of this amendment, the amendment is rejected.

AMENDMENT NO. 2456 TO S. 3240 VOTE EXPLANATION

• Mr. JOHNSON of South Dakota. Mr. President, I was unavoidably detained and unable to vote on the Boxer amendment No. 2456 this morning. If I had been present, I would have voted in favor of this amendment. It is important that the use of overflights to monitor compliance with the Clean Water Act be limited to circumstances where ground inspections of large industrial agriculture operations would not be as cost effective or sufficiently protective of public health and safety. •

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 2372

Mr. JOHANNIS. Mr. President, I call up amendment No. 2372 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from Nebraska [Mr. JOHANNIS] proposes an amendment numbered 2372.

Mr. JOHANNIS. Mr. President, I ask unanimous consent that the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the Administrator of the Environmental Protection Agency from conducting aerial surveillance to inspect agricultural operations or to record images of agricultural operations)

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

SEC. 122 . PROHIBITION ON AERIAL SURVEILLANCE OF AGRICULTURAL OPERATIONS.

The Administrator of the Environmental Protection Agency shall not conduct aerial surveillance to inspect agricultural operations or to record images of agricultural operations.

Mr. JOHANNIS. Mr. President, low-altitude surveillance flights over farmers' and ranchers' private property has caused bipartisan concern, and it is happening—EPA is flying these flights. Senator NELSON and I and the entire Nebraska delegation wrote to Administrator Jackson saying, "What is going on? What are you doing?" Their response was kicked down to the Regional Director. It was incomplete. It was totally unacceptable.

This is not about drones, this is about flights over feed lots, trying to determine if there is a violation and then pursuing that action. What we are asking for is for the public to be advised of what they are doing. Until that happens, this amendment simply says: Stop. You can't do this anymore until you let us know how you are using this information and for what purpose.

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

Mr. JOHANNIS. I ask for support of the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mrs. BOXER. Mr. President, may I be recognized?

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, this amendment is very serious. It is about life and death. It is true that on occasion EPA will use small manned aircraft to inspect a bacteria spill.

Let me recall for you: Wisconsin, 1993, at least 50 people lost their lives from the bacteria cryptosporidium from animal waste. When you are following a plume, the way to do it is from the air. It is much more expensive in many cases to do ground inspection. EPA estimates that on-the-ground inspection may cost \$10,000, but it could cost \$2,500 to survey the same area by air.

This is life and death. We are talking about E. coli. We are talking about giardia and cryptosporidium. We are talking about the health and safety of the American people that is compromised from these kinds of animal waste.

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

The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

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

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

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

[Rollcall Vote No. 159 Leg.]

YEAS—56

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

NAYS—43

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

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Pennsylvania is recognized.

AMENDMENT NO. 2247

Mr. TOOMEY. Mr. President, I call up amendment No. 2247.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. TOOMEY), for himself, Mr. PRYOR, Mr. INHOFE, Mr. BOOZMAN, and Mr. SESSIONS, proposes an amendment numbered 2247.

The amendment is as follows:

(Purpose: To reduce unnecessary paperwork burdens on community water systems)

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

SEC. 122 . CONSUMER CONFIDENCE REPORTS BY COMMUNITY WATER SYSTEMS.

(a) FINDINGS.—Congress finds that—

(1) community water systems play an important role in rural United States infrastructure; and

(2) since rural water infrastructure projects are routinely funded under the rural development programs of the Department of Agriculture, Congress should strive to reduce the regulatory and paperwork burdens placed on community water systems.

(b) METHOD OF DELIVERING REPORT.—Section 1414(c)(4)(A) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)(4)(A)) is amended—

(1) in the first sentence, by striking "The Administrator, in consultation" and inserting the following:

“(i) IN GENERAL.—The Administrator, in consultation”;

(2) in clause (i) (as designated by paragraph (1)), in the first sentence, by striking “to mail to each customer” and inserting “to provide, in accordance with clause (ii) or (iii), as applicable, to each customer”;

(3) by adding at the end the following:

“(ii) MAILING REQUIREMENT FOR VIOLATION OF MAXIMUM CONTAMINANT LEVEL.—If a violation of the maximum contaminant level for any regulated contaminant has occurred during the year concerned, the regulations under clause (i) shall require the applicable community water system to mail a copy of the consumer confidence report to each customer of the system.

“(iii) MAILING REQUIREMENT ABSENT ANY VIOLATION OF MAXIMUM CONTAMINANT LEVEL.—

“(I) IN GENERAL.—If no violation of the maximum contaminant level for any regulated contaminant has occurred during the year concerned, the regulations under clause (i) shall require the applicable community water system to make the consumer confidence report available by, at the discretion of the community water system—

“(aa) mailing a copy of the consumer confidence report to each customer of the system; or

“(bb) subject to subclause (II), making a copy of the consumer confidence report available on a publicly accessible Internet site of the community water system and by mail, at the request of a customer.

“(II) REQUIREMENTS.—If a community water system elects to provide consumer confidence reports to consumers under subclause (I)(bb), the community water system shall provide to each customer of the community water system, in plain language and in the same manner (such as in printed or electronic form) in which the customer has elected to pay the bill of the customer, notice that—

“(aa) the community water system has remained in compliance with the maximum contaminant level for each regulated contaminant during the year concerned; and

“(bb) a consumer confidence report is available on a publicly accessible Internet site of the community water system and, on request, by mail.”.

(c) CONFORMING AMENDMENTS.—Section 1414(c)(4) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)(4)) is amended—

(1) in subparagraph (C), in the matter preceding clause (i), by striking “mailing requirement of subparagraph (A)” and inserting “mailing requirement of clause (ii) or (iii) of subparagraph (A)”;

(2) in subparagraph (D), in the first sentence of the matter preceding clause (i), by striking “mailing requirement of subparagraph (A)” and inserting “mailing requirement of clause (ii) or (iii) of subparagraph (A)”.

(d) APPLICATION; ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—The amendments made by this section take effect on the date that is 90 days after the date of the enactment of this Act.

(2) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall promulgate any revised regulations and take any other actions necessary to carry out the amendments made by this section.

The PRESIDING OFFICER. There is 2 minutes of debate.

Senator TOOMEY.

Mr. TOOMEY. Mr. President, water systems are currently required to mail reports every year that detail in great

specificity all the minute trace chemicals that are inevitably in the water supply. This is at a great cost and it is a problem, particularly for rural water systems. What my amendment would do is permit the water companies, provided there are no violations, to inform their customers in each and every monthly bill that they can obtain this information on the Web site. There are absolutely no changes whatsoever in water standards, of course, and every company would still have to mail these detailed reports if the water failed to comply with the State or Federal standards. This is a way we can free up tens, even hundreds of thousands of dollars in unnecessary mailing costs and make that available for infrastructure investment.

I am happy to yield to my colleague, the Senator from Oklahoma.

Mr. INHOFE. This is very simple. This is the information age. In my rural State of Oklahoma, sometimes they have to drive 30 miles to a post office. This will make it a lot easier as an accommodation and nothing is lost.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mrs. BOXER. Mr. President, today our families receive in the mail just once a year a report about the safety of the water their kids drink every single day. The Toomey amendment repeals that important right to know. There are 70 regulated dangerous contaminants in our water. For example: arsenic, benzene, vinyl chloride, asbestos, cadmium, mercury, radium, and uranium. Some of these dangerous toxins are deemed unsafe at any level. Yet under Toomey you would no longer receive that information.

Senator TOOMEY says go to the Web site. One thousand water districts have no Web site. And right now, under the current right-to-know law, the Governor can say he waives this requirement for the small rural districts.

Please vote no. Our people have a right to know what their kids are drinking.

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

The question is on agreeing to the amendment.

Mr. TOOMEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

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

[Rollcall Vote No. 160 Leg.]

YEAS—58

Alexander	Hagan	Murkowski
Ayotte	Hatch	Nelson (NE)
Barrasso	Heller	Nelson (FL)
Blunt	Hoeben	Paul
Boozman	Hutchison	Portman
Brown (MA)	Inhofe	Pryor
Burr	Isakson	Risch
Casey	Johanns	Roberts
Chambliss	Johnson (WI)	Rubio
Coats	Kohl	Sessions
Coburn	Kyl	Shelby
Cochran	Leahy	Snowe
Collins	Lee	Thune
Corker	Levin	Toomey
Cornyn	Lugar	Udall (CO)
Crapo	Manchin	Vitter
DeMint	McCain	Webb
Enzi	McCaskill	Wicker
Graham	McConnell	
Grassley	Moran	

NAYS—41

Akaka	Feinstein	Murray
Baucus	Franken	Reed
Begich	Gillibrand	Reid
Bennet	Harkin	Rockefeller
Bingaman	Inouye	Sanders
Blumenthal	Johnson (SD)	Schumer
Boxer	Kerry	Shaheen
Brown (OH)	Klobuchar	Stabenow
Cantwell	Landrieu	Tester
Cardin	Lautenberg	Udall (NM)
Carper	Lieberman	Warner
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. STABENOW. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 2310

Mr. SANDERS. Madam President, I call up amendment No. 2310.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and Mrs. BOXER, proposes an amendment numbered 2310.

The amendment is as follows:

(Purpose: To permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient)

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

SEC. 12207. CONSUMERS RIGHT TO KNOW ABOUT GENETICALLY ENGINEERED FOOD ACT.

(a) SHORT TITLE.—This section may be cited as the “Consumers Right to Know About Genetically Engineered Food Act”.

(b) FINDINGS.—Congress finds that—

(1) surveys of the American public consistently show that 90 percent or more of the people of the United States want genetically engineered to be labeled as such;

(2) a landmark public health study in Canada found that—

(A) 93 percent of pregnant women had detectable toxins from genetically engineered foods in their blood; and

(B) 80 percent of the babies of those women had detectable toxins in their umbilical cords;

(3) the tenth Amendment to the Constitution of the United States clearly reserves powers in the system of Federalism to the States or to the people; and

(4) States have the authority to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered.

(c) DEFINITIONS.—In this section:

(1) GENETIC ENGINEERING.—

(A) IN GENERAL.—The term “genetic engineering” means a process that alters an organism at the molecular or cellular level by means that are not possible under natural conditions or processes.

(B) INCLUSIONS.—The term “genetic engineering” includes—

- (i) recombinant DNA and RNA techniques;
- (ii) cell fusion;
- (iii) microencapsulation;
- (iv) macroencapsulation;
- (v) gene deletion and doubling;
- (vi) introduction of a foreign gene; and
- (vii) changing the position of genes.

(C) EXCLUSIONS.—The term “genetic engineering” does not include any modification to an organism that consists exclusively of—

- (i) breeding;
- (ii) conjugation;
- (iii) fermentation;
- (iv) hybridization;
- (v) in vitro fertilization; or
- (vi) tissue culture.

(2) GENETICALLY ENGINEERED INGREDIENT.—The term “genetically engineered ingredient” means any ingredient in any food, beverage, or other edible product that—

(A) is, or is derived from, an organism that is produced through the intentional use of genetic engineering; or

(B) is, or is derived from, the progeny of intended sexual reproduction, asexual reproduction, or both of 1 or more organisms described in subparagraph (A).

(d) RIGHT TO KNOW.—Notwithstanding any other Federal law (including regulations), a State may require that any food, beverage, or other edible product offered for sale in that State have a label on the container or package of the food, beverage, or other edible product, indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

(e) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs and the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Secretary of Agriculture, shall submit a report to Congress detailing the percentage of food and beverages sold in the United States that contain genetically engineered ingredients.

Mr. SANDERS. Madam President, this amendment is cosponsored by Senators BOXER and BEGICH and is supported by over 40 pro-consumer organizations throughout the country, including Public Citizen, U.S. PIRG, the Center for Food Safety, and many others.

This is a very conservative amendment. It says the American people should have the right to know what is in the food they and their children are eating and if that food contains genetically engineered products.

This amendment grants States the authority to label genetically engineered food. It is not a mandate. It grants States that right—something

which, by the way, is now taking place in 49 countries throughout the world. If the people in England, Germany, France, and dozens and dozens of other countries have labels allowing their people to know if they are eating food with genetically engineered products, States in the United States should have that right.

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

Mr. SANDERS. I ask for a “yes” vote on the amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first I want to thank the Senator from Vermont for his wonderful leadership on so many issues in this bill. I must, reluctantly, ask for a “no” vote.

Consumers certainly need to have available information. We need to make sure it is accurate, according to the FDA, after they determine that.

I would make one other point: American farmers are feeding the world, with 7 billion mouths to feed. This is harder every day. Science and innovation are very important to that.

Recently, I talked with Bill Gates, with the Gates Foundation, for example, which is doing incredible work around the globe: with drought-resistant crops in Africa, with innovative rice in the Philippines and Bangladesh, and so on.

This is an issue that needs to be thoroughly studied to make sure we are not hurting those efforts. I know the chairman of the HELP Committee has asked that we not do this. It is within his jurisdiction.

Madam President, I yield time now to Senator ROBERTS.

Mr. ROBERTS. Very quickly, we all wear coats and ties in this body. This amendment would put us in lab coats. Don't wear a lab coat. Vote “no” on this amendment.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

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

[Rollcall Vote No. 161 Leg.]

YEAS—26

Akaka	Cardin	Leahy
Begich	Feinstein	Lieberman
Bennet	Inouye	Manchin
Blumenthal	Johnson (SD)	Merkley
Boxer	Kerry	Mikulski
Cantwell	Lautenberg	Murkowski

Murray	Sanders	Whitehouse
Reed	Tester	Wyden
Rockefeller	Udall (NM)	

NAYS—73

Alexander	Franken	Moran
Ayotte	Gillibrand	Nelson (NE)
Barrasso	Graham	Nelson (FL)
Baucus	Grassley	Paul
Bingaman	Hagan	Portman
Blunt	Harkin	Pryor
Boozman	Hatch	Reid
Brown (MA)	Heller	Risch
Brown (OH)	Hoeven	Roberts
Burr	Hutchison	Rubio
Carper	Inhofe	Schumer
Casey	Isakson	Sessions
Chambliss	Johanns	Shaheen
Coats	Johnson (WI)	Shelby
Coburn	Klobuchar	Snowe
Cochran	Kohl	Stabenow
Collins	Kyl	Thune
Conrad	Landrieu	Toomey
Coons	Lee	Udall (CO)
Corker	Levin	Vitter
Cornyn	Lugar	Warner
Crapo	McCain	Webb
DeMint	McCaskill	Wicker
Durbin	McConnell	
Enzi	Menendez	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Oklahoma.

AMENDMENT NO. 2214

Mr. COBURN. I call up amendment No. 2214 on behalf of myself and the Senator from Colorado, Mr. UDALL. I ask unanimous consent that we be given 3 minutes for each side to be divided between myself and Senator UDALL.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mr. UDALL of Colorado, Mr. BURR, Mr. MCCAIN, Ms. AYOTTE, and Mr. MORAN, proposes an amendment numbered 2214.

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) IN GENERAL.—

(1) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

(b) CONFORMING AMENDMENTS.—

(1) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3).”.

(2) REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(A) by adding “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

(3) PENALTIES.—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence; and

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(4) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3)”.

(C) RETURN OF PREVIOUSLY SUBMITTED MONEY FOR DEFICIT REDUCTION.—Any amount which is returned by the national committee of a major party or a minor party to the general fund of the Treasury from an account established under section 9008 of the Internal Revenue Code of 1986 after the date of the enactment of this Act shall be dedicated to the sole purpose of deficit reduction.

(D) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after December 31, 2012.

Mr. COBURN. I yield 1½ minutes to the Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I thank the Senator from Oklahoma.

I rise in support of this important amendment.

I would also like to note that this provision is included in a larger bill I introduced this week to reform our Presidential public financing system. I would welcome support for that broader initiative.

This is a bipartisan short-term step we can take to preserve more money for publicly funded candidates who are running for President instead of using that money to fund what we know now as expensive parties in our conventions. So I would urge a “yes” vote. This is a way to get our fiscal house in order. It is a small step, but it is an important step.

I thank the Senator from Oklahoma for his leadership in this matter.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, 99 percent of the American public has no idea that when they check the box, we are going to take actual American taxpayer dollars and subsidize party conventions for candidates who have already been decided.

If we are going to lead as a body on starting to solve some of our problems, this is where we should start. This is \$34.6 million that gets doled out that is not spent in the best interests of the American public but spent in the best interests of the politicians for the American public. It needs to be changed. It has no effect on security. It has no effect on the present allocation that was made in January to each party. If we cannot do this, this little simple thing of leading by example, then our country is doomed because that means we cannot solve the very significant problems in front of us either.

I would appreciate your support and vote on this amendment.

The PRESIDING OFFICER. Who yields time?

Ms. STABENOW. Madam President, I yield back all time.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

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

The bill clerk called the roll.

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

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

The result was announced—yeas 95, nays 4, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—95

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

NAYS—4

Boxer	Mikulski
Landrieu	Rockefeller

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The Senator from Washington.

AMENDMENT NO. 2455, AS MODIFIED

Mrs. MURRAY. Madam President, I call up my amendment No. 2455 and ask that it be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

The clerk will report.

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 2455, as modified.

The amendment is as follows:

(Purpose: To require the Office of Management and Budget, the President and the Department of Defense to submit detailed reports to Congress on effects of defense and nondefense budget sequestration for fiscal year 2013)

At the appropriate place, insert the following:

SEC. ____ . REPORTS ON EFFECTS OF DEFENSE AND NONDEFENSE BUDGET SEQUESTRATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The inability of the Joint Select Committee on Deficit Reduction to find \$1,200,000,000,000 in savings will trigger automatic funding reductions known as “sequestration” to raise an equivalent level of savings between fiscal years 2013 and 2021.

(2) These savings are in addition to \$900,000,000,000 in deficit reduction resulting from discretionary spending limits established by the Budget Control Act of 2011.

(b) REPORTS.—

(1) REPORT BY THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.—

(A) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall report upon the impact of sequestration of funds with respect to a sequestration under paragraphs (7)(A) and (8) of section 251(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) for fiscal year 2013 on January 2, 2013, using enacted levels of appropriations for accounts funded pursuant to an enacted regular appropriations bill for fiscal year 2013, and estimates pursuant to a current rate continuing resolution for accounts not funded through an enacted appropriations measure for fiscal year 2013 as the levels to which the sequestration should be applied.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) Each account that would be subject to such a sequestration.

(ii) Each account that would be subject to such a sequestration but subject to a special rule under section 255 or 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 (and the citation to such rule).

(iii) Each account that would be exempt from such a sequestration.

(iv) Any other data or information that would enhance public understanding of the sequester and its effect on the defense and nondefense functions of the Federal Government including the impact on essential public safety responsibilities such as homeland security, food safety, and air traffic control activities.

(C) CATEGORIZE AND GROUP.—The report required under this paragraph shall categorize and group the listed accounts by the appropriations Act covering such accounts

(2) REPORT BY THE PRESIDENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, or by October 30, 2012 whichever is earlier, the President shall submit to Congress a detailed report on the sequestration required by paragraphs (7)(A) and (8) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) for fiscal year 2013 on January 2, 2013.

(B) ELEMENTS.—The reports required by subparagraph (A) shall include—

(i) for discretionary appropriations—

(I) an estimate for each category, of the sequestration percentages and amounts necessary to achieve the required reduction; and

(II) an identification of each account to be sequestered and estimates of the level of sequestrable budgetary resources and resulting outlays and the amount of budgetary resources to be sequestered and resulting outlay reductions at the program, project, and activity level, using enacted levels of appropriations for accounts funded pursuant to an enacted regular appropriations bill for fiscal year 2013, and estimates pursuant to a current rate continuing resolution for accounts not funded through an enacted appropriations measure for fiscal year 2013;

(ii) for non-defense discretionary spending only—

(I) a list of the programs, projects, and activities that would be reduced or terminated;

(II) an assessment of the jobs lost directly through program and personnel cuts;

(III) an estimate of the impact program cuts would have on the long-term competitiveness of the United States and its ability to maintain its lead on research and development, as well as the impact on our national goal to graduate the most students with degrees in in-demand fields;

(IV) an assessment of the impact of program cuts to education funding across the country, including estimates on teaching jobs lost, the number of students cut off programs they depend on, and education resources lost by States and local educational agencies;

(V) an analysis of the impact of cuts to programs middle class families and the most vulnerable families depend on, including estimates of how many families would lose access to support for children, housing and nutrition assistance, and skills training to help workers get better jobs;

(VI) an analysis of the impact on small business owners' ability to access credit and support to expand and create jobs;

(VII) an assessment of the impact to public safety, including an estimate of the reduction of police officers, emergency medical technicians, and firefighters;

(VIII) a review of the health and safety impact of cuts on communities, including the impact on food safety, national border security, and environmental cleanup;

(IX) an assessment of the impact of sequestration on environmental programs that protect the Nation's air and water, and safeguard children and families;

(X) assessment of the impact of sequestration on the Nation's infrastructure, including how cuts would harm the ability of States and communities to invest in roads, bridges, and waterways.

(XI) an assessment of the impact on ongoing government operations and the safety of Federal Government personnel;

(XII) a detailed estimate of the reduction in force of civilian personnel as a result of sequestration, including the estimated timing of such reduction in force actions and the timing of reduction in force notifications thereof; and

(XIII) an estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope as a result of sequestration, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts;

(iii) for direct spending—

(I) an estimate for the defense and non-defense functions based on current law of the sequestration percentages and amount necessary to achieve the required reduction;

(II) a specific identification of the reductions required for each nonexempt direct spending account at the program, project, and activity level; and

(III) a specific identification of exempt direct spending accounts at the program, project, and activity level; and

(iv) any other data or information that would enhance public understanding of the sequester and its effect on the defense and nondefense functions of the Federal Government including the impact on essential public safety responsibilities such as—

(I) homeland security, food safety, and air traffic control activities;

(II) an assessment of the impact of cuts to programs that the Nation's farmers rely on to help them through difficult economic times; and

(III) an assessment of the impact of Medicare cuts to the ability for seniors to access care.

(3) REPORT BY THE SECRETARY OF DEFENSE.—

(A) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall report on the impact on national defense accounts as defined by paragraphs (7)(A) and (8) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) using enacted levels of appropriations for accounts funded pursuant to an enacted regular appropriations bill for fiscal year 2013, and estimates pursuant to a current rate continuing resolution for accounts not funded through an enacted appropriations measure for fiscal year 2013 as the levels to which the sequestration should be applied.

(B) ELEMENTS OF THE DEFENSE REPORTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of the impact on ongoing operations and the safety of United States military and civilian personnel.

(ii) An assessment of the impact on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, and full spectrum training miles, and an estimate of the increase or decrease in readiness (as defined in the C status C-1 through C-5).

(iii) A detailed estimate of the reduction in force of civilian personnel, including the estimated timing of such reduction in force actions and timing of reduction in force notifications thereof.

(iv) A list of the programs, projects, and activities of the Department of Defense that would be reduced or terminated and the expected savings for each program, project and activity.

(v) An estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts.

(vi) An assessment of the impact on the ability of the Department of Defense to carry out the National Military Strategy of the United States, and any changes to the most recent Risk Assessment of the Chairman of the Joint Chiefs of Staff under section 153(b) of title 10, United States Code, arising from sequestration.

Mrs. MURRAY. Madam President, I ask unanimous consent that the 60-affirmative threshold be waived, since it is my understanding that we will adopt this by voice vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mrs. MURRAY. Madam President, the amendment we are going to vote on is bipartisan, fair, and it will make sure Congress gets a report on the impact of all aspects of the scheduled automatic cuts. We all agree the bipartisan sequestration agreed to in the Budget Control Act is a terrible way to cut spending. It was included as a trigger in order to bring both sides to the table ready to compromise.

I am hopeful we can get together and get the bipartisan deal required to replace these automatic cuts responsibly and fairly. But as we work toward that we all should know exactly how the administration would enact sequestration if we don't get a deal.

I was very proud to work with Senators MCCAIN, LEVIN, and THUNE to come together on a bipartisan com-

promise to make sure Congress has the information we all need on sequestration from the painful cuts to the Defense Department, border security, food safety, education, and programs for middle-class families, on which the most vulnerable Americans depend.

So I thank all my colleagues for working with me on this bipartisan compromise, and I thank the families and advocates who called and wrote letters urging us to examine all aspects of sequestration.

Mr. LEVIN. Madam President, if sequestration comes to pass at the end of this year, many of us believe it could derail the economic recovery and do immense damage to important programs throughout the government, making our Nation less safe and our government less responsive to the needs of the people we serve.

But at this point, while our concern is deep and widespread, it is not specific. We know only in the most general terms what impact sequestration might have. And while that is enough to encourage many of us to seek the compromises needed to avoid sequestration, the Congress and the American people deserve a more complete picture of what we face.

That is why I am a cosponsor of the amendment offered by Senators MURRAY and MCCAIN, which would help give us and all Americans that more complete picture.

I thank Senator MCCAIN and Senator MURRAY for the leadership and hard work, on a bipartisan basis, that produced this amendment. It deserves broad bipartisan support, and not only because it will provide valuable information to us and our constituents. We must find ways to work across party lines more often and compromise for the common good. I hope this amendment can serve as one step toward the larger and more difficult compromises we must accomplish to avert the deep and lasting damage of sequestration.

Mrs. MURRAY. Madam President, it is my understanding that Senator MCCAIN will not speak at this time, so I urge a "yes" vote on this voice vote.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2455) was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, given the work that has been done, I wish to thank Senators MURRAY and MCCAIN for their efforts. Senator MCCAIN will not be offering his amendment, just for the information of the Senate. So we will move on now to the Rubio amendment, when Senator RUBIO is prepared.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise today to speak on an amendment I have introduced—with a dozen cosponsors to require the Secretary of Defense to provide to Congress a detailed

report by August 15, 2012, on the impacts on national security of the automatic budget cuts, also known as sequestration. These cuts will be imposed upon the Defense Department 6 months from now unless Congress acts.

My amendment makes no changes to the Budget Control Act and should be non-controversial. It simply requires the Secretary of Defense to detail for us the implications of these cuts so that we may consider legislative options. My colleagues are well aware of how budget sequestration became the law of the land, of the failure of the Joint Select Committee on Deficit Reduction, and of the enforcement mechanism of automatic cuts. But none of us fully understand the specific consequences of the across-the-board spending reductions should they be triggered on January 2, 2013.

We know from statements and testimony from the Secretary of Defense and high-ranking DOD and military officials that the impact of sequestration on the Department of Defense would be disastrous. I need not remind my colleagues that one of government's foundational responsibilities is to defend the Nation. Our constituents entrust us to do so. Allowing budget sequestration to occur in the Department of Defense would dramatically increase risk to our national security and undermine our ability to protect our interests at home and abroad.

I agree that our current fiscal climate demands that we reduce annual deficits and pay down the massive Federal debt. I also recognize that the demands placed on our Armed Forces are beginning to diminish at least insofar as current operations in Afghanistan are concerned. The administration and the Congress have acknowledged as much, reducing war funding by almost half since 2011. The President's withdrawal plan for Afghanistan will reduce that funding need even further. In addition, the President has already put in place a plan to cut the defense budget by \$487 billion over the next 9 years.

I have reluctantly supported these planned cuts in the interest of deficit reduction, and we have scrutinized their impact on the Armed Forces. Many of my colleagues on the Senate Armed Services Committee joined me in expressing concerns to the Secretary of Defense about significant troop reductions in the Army and Marine Corps, major program curtailments, and proposed base closures.

Army Chief of Staff GEN Odierno told us that his service could perform its mission with 80,000 fewer troops. Commandant of the Marine Corps General Amos echoed those sentiments when describing his plan to reduce by 20,000 marines. My point is that the Department of Defense has already undertaken major budget reductions which will impact our forces for a decade or longer. While I do not agree with every reduction proposed by the administration, I acknowledge that we all need to tighten our belts and that the Defense Department is not sacrosanct.

It is in the context of the nearly \$½ trillion of reductions that have already been levied against the Defense Department that we should consider the impact of additional automatic budget cuts. Budget sequestration would cancel an additional \$½ trillion from the defense budget and would do so in a thoroughly arbitrary and destructive way. It is one thing for the Department to make planned reductions to troops, equipment, training, and operations, and to keep these reductions synchronized; it is quite another to apply an across-the-board percentage reduction to every defense program. The law does not provide flexibility; it dictates that budget sequestration must be applied in equal percentages to each "program, project, and activity." That means equal percentage cuts in every research project, weapons program, and military construction project. Assuming military personnel accounts are exempted, we understand that cut to be about 14 percent. A 14-percent cut in a military construction project would render it unexecutable. How can you buy 86 percent of a building or 86 percent of an aircraft carrier? This is the danger of sequestration. The law mandates that cuts be taken equally across every budget line. It is absolutely senseless and will have enormous primary and secondary effects.

As an example, hundreds, perhaps thousands, of contracts for services and equipment will have to be renegotiated. Contracts with specific delivery quantities will have to be rewritten to reduce the quantities, which will increase the cost per unit to the government. More likely, management decisions will be taken out of the hands of managers and put into the hands of lawyers, as companies sue the government for breach of contract and termination costs. Legal proceedings could stretch out over years, at enormous expense to the taxpayer. "Savings" from budget sequestration would be consumed by the cost of implementing it. Maybe we should think of sequester as an earmark for lawyers.

Beyond the cost of implementing a dysfunctional system for budget cutting, the impact of sequestration on the capability of the Armed Forces would needlessly increase risk to national security. I am very concerned about the recent decision by the administration to apply sequestration to accounts supporting our military operations in Afghanistan. In November 2011, I was assured by the Secretary of Defense that this account would not directly be affected. Now, the Department is conceding that funds we are using to defeat our enemies and to build a secure and self-sufficient Afghanistan will be subject to immediate reductions. Despite this potentially grave risk to our military forces engaged in combat, the Department cannot tell me with any assurance to what extent our deployed forces will be affected. We must have a detailed assessment of the impact of these mandatory

cuts to the support of our forces engaged in hostilities on behalf of our Nation.

We know that the President has decided to exempt veterans programs from budget sequestration but to include war funding under sequester. This demonstrates that the administration is actively deliberating the implementation of the Budget Control Act, which makes it all the more surprising that the President is reluctant to provide even a preliminary estimate of the impact of sequestration. If the President is making decisions regarding sequestration, why not reveal the impacts to Congress and the public?

The leaders of the Department of Defense have consistently stated that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these automatic reductions would "inflict severe damage to our national defense for generations."

General Odierno testified that sequestration would force the Army to cut an additional 100,000 troops, half of which would come from the Guard and Reserve on top of the 80,000 soldiers already planned to be separated from service. General Odierno stated that the damaging effects of sequestration would force the Army to "fundamentally re-look [at] how we do national security."

The Chief of Naval Operations, Admiral Greenert, testified that the Navy fleet would shrink from 285 ships to 230 to 235 ships, well below the 313 ships the Navy has said it requires. The Navy will be forced to absorb a cut equivalent to the entire annual shipbuilding budget. According to the Vice Chief of Naval Operations, "The force that comes out of sequestration is not the force that can support the current [defense] strategy."

Chief of Staff of the Air Force GEN Schwartz testified that sequestration "would slash all of our investment accounts, including our top priority modernization program such as the KC-46 tanker, the F-35 Joint Strike Fighter, the MQ-9 remotely piloted aircraft, and the future long-range strike bomber."

We would be left with a much more expensive, much less capable national defense program.

The irony in all this is that defense spending is not the reason we are in a fiscal mess. The United States spends about 20 percent of its annual budget on national defense. Since one of the principal responsibilities of government is to protect the Nation, I consider this amount to be quite modest. The real driver of our national debt is mandatory spending, which consumes 58 percent of the annual budget and is projected by the Office of Management and Budget to be over 62 percent by 2017—growth of almost a percentage point per year. However, under budget sequestration, half of the total amount of cuts would be levied from defense and the other half from all other government programs. Let me repeat that.

Defense is 20 percent of the budget but will take 50 percent of the cuts. It simply doesn't make sense.

In addition, these cuts will impact jobs in the defense industry as well as countless counties and towns around the country at a time when millions of Americans are still seeking employment. I appreciate the work of my friend Senator AYOTTE to bring this issue of industrial and economic impact to the forefront.

We must receive a clear assessment from the Department on the extent of the risk to our military operations in Afghanistan, to our military programs, and to readiness here at home if the automatic cuts are allowed to occur. Only when we have a clear picture of the impact of current law will we be able to consider alternatives to sequestration that reduce the deficit but do not imperil our Nation's security.

Some have suggested that the Congress wait until after the election to address possible alternatives to sequestration. Mr. President, we all know that nothing good happens in a lame-duck session. We cannot wait for an election to muster the courage to make difficult budget decisions. This amendment to the farm bill is meant to inform the debate about the perils we face if we do not take action.

I thank my colleague from Washington, and I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, there is nothing pending now on the Senate floor other than the farm bill?

The PRESIDING OFFICER. That is correct.

Mr. REID. We are in between votes; is that correct?

The PRESIDING OFFICER. Correct.

UNANIMOUS CONSENT AGREEMENT—S. 1940

Mr. REID. Madam President, I ask unanimous consent that upon disposition of S. 3240, which is the farm bill, the Senate proceed to the cloture vote on the motion to proceed to Calendar No. 250, S. 1940, which is the flood insurance bill; further, if cloture is invoked on the motion to proceed, notwithstanding cloture having been invoked, it be in order for the majority leader to lay before the body the House message with respect to S. 3187.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, if I might indicate to colleagues, we have one final amendment, the Rubio amendment, and Senator RUBIO will be coming to the floor shortly. Following his amendment, we will then be going to final passage.

I do want to take a moment to thank the leader. In the midst of an extremely demanding schedule, with things that need to get done in the Senate, he has given us this opportunity to complete this work. We will talk more about who has been involved

in it later, but with all the demands of the Senate—whether it be flood insurance or addressing the concerns of student loan interest rates, the issues of small business and jobs and a whole range of issues that are very important for us to get done—our leader, with the support of the Republican leader, has been willing to allow us to move through 73 amendments. Now, I would note that we started with the possibility of 300, so 73 is certainly better than 300, but we know it was a major piece of work, and we very much appreciate our colleagues coming together to get this done.

Let me remind everyone that 16 million people work in jobs related to agriculture and our food systems, and they are watching us to see if we do the right thing and to see us work together to get this done and to create economic certainty for them and food security for our Nation. So I just would like to thank our leaders for their patience and willingness to stand with us.

Mr. ENZI. Madam President, I have come to the floor to speak in favor of Senator RUBIO's amendment No. 2166, the Rewarding Achievement and Incentivizing Successful Employees Act, known as the RAISE Act. It is a catchy title, and sometimes here in Congress catchy bill titles can be very misleading. Sometimes the bill title means the exact opposite of what the bill would do, such as the Employee Free Choice Act, which actually would have taken away the right to make a free choice through a secret ballot. But in this case, I congratulate my colleague Senator RUBIO for a title that conveys precisely what the amendment aims to do.

The RAISE Act would allow employers to give employees raises, bonuses, incentive payments, and other monetary rewards whenever they are earned, whether the union boss approves or not. As all of us know, we are in extremely difficult economic times. Unemployment has been above 8 percent for over 40 months, now and a striking number of individuals are dropping out of the workforce altogether. When we do recover, as I know we will, we are likely to face a skills gap that will further hamper hiring and growth. One of the keys to our economic recovery is the health of small businesses.

For small businesses to reach their full potential, and grow into job-creating machines, they need the flexibility to maintain and attract the key employees who will get them there. Any small businessperson will tell you that their employees are their most important asset. They literally make the difference in whether the business succeeds or fails.

Once your company is unionized, you learn one way or another that it is now an "unfair labor practice" under section 8(a)(5) of the National Labor Relations Act to give an employee a raise or a bonus or an incentive or even a gift card for a job well done without the approval of the union boss. All

compensation issues must be negotiated with the union, which allows the union to take credit for securing the raise. We have come across scores of cases where employers wanted to thank employees for good customer service, impressive sales growth, or attract employees to fill a critical manpower shortage, and the National Labor Relations Board, NLRB, penalized the employer for it. In a time of global competition, the last thing we need is a Federal agency punishing companies for trying to perform better by rewarding employees.

Believe it or not, there is opposition to this amendment. At least four of our largest labor unions—AFL-CIO, AFSCME, SEIU, and the International Brotherhood of Teamsters—have opposed allowing employers to give raises.

Critics of this bill have said that if employers want to be able to reward employees beyond the union-approved wage floor, they can negotiate that provision into their contract. This is true. An employer can make the ability to incentivize employees one of their "asks" in negotiations, and they probably have to give up something else in order for the union to agree to that. But it is also true that getting such a provision in the bargaining agreement is not enough to protect employers from a charge of unfair labor practice from the union and penalty from the NLRB. In my research on this issue, I came across several cases where employers had negotiated a raise clause, but since the collective bargaining agreement expired and was in renegotiation, the NLRB ruled that the provision did not apply.

Let me cite an example from just a few years ago. A Montana water and mineral drilling company had negotiated a contract clause with their union to ensure that union-negotiated wages were only a floor and superior wages could be given with or without the consent of the union. When the company's orders increased, the company wanted to share the profits and decided to give employees unilateral raises, increase the per diem for meals, and raise the clothing and safety allowance reimbursement by 167 percent. But the union objected, and the NLRB agreed and stopped the raises. Why? Because although the company had negotiated the right to give raises, they were currently in the process of renegotiating their collective bargaining agreement and there had been no explicit extension of the clause allowing for superior wages and benefits. *O'Keefe Drilling, Case 19-CA-29222(2005)*

Unfortunately, this is not an isolated case. NLRB has repeatedly punished employers in similar situations.

An Oregon newspaper publisher had historically offered commission for sales of certain long-term advertisements. As it was adapting to having an online edition, it decided to qualify internet ad sales for commissions, as well, and added signing bonuses for new advertising clients. Although the newspaper had specifically negotiated for a

contract provision allowing it to pay wages in excess of the established wage, the bargaining agreement was in renegotiation. The NLRB sided with the union. *Register-Guard*, 339 NLRB 353 (2003)

The fact that raise provisions are negotiated into union contracts negates another criticism I have heard about this proposal. Some say that it would allow an employer to favor employees based on gender or race. This is entirely false—all race, sex, national origin and religion Federal discrimination statutes are and would remain in full effect.

I would like to share a few more examples of why this legislation will not just benefit American workers but everyone who relies on the services they provide. For example, there is a great deal of concern about the quality and availability of health care services in this country. You would think that any Federal agency would congratulate hospitals that strive to improve the service they provide. Unfortunately, that was not the case in these two examples.

During the nationwide nursing shortage we experienced in the last decade, a nonprofit New Mexico hospital was desperate for nurses. It was concerned about the ability to provide care and comply with mandatory staffing levels, so the hospital decided to offer \$8000 signing bonuses and \$2000 relocation bonuses. These generous bonuses were available for new applicants as well as current nurses—union members—who transferred to fill critical needs. But the union objected and the hospital was ordered to stop offering bonuses. *St. Vincent Hospital*, Case 28-CA-19039(2004)

In another case, a Brooklyn hospital was concerned about poor reviews of their nursing staff from patient satisfaction surveys, which had been an ongoing problem. The hospital decided to reward its best nurses, so it honored high-performing nurses with a breakfast, a pin, and gave them \$100 gift cards since it was the winter holiday season. Unfortunately, the union objected to this honoring of exceptional nurses and filed charges with the National Labor Relations Board. Although these nurses earned \$67,000 to \$150,000 a year, the NLRB found that the gift card was not a one-time, de minimis gift but, rather, should be considered compensation and should have been a subject of negotiation with the union. The hospital was banned from giving such bonuses again. *Brooklyn Hospital Center*, Case No. 29-CA-29323(2009)

Clearly something has gone very wrong here, and I want to thank Senator RUBIO for offering us the ability to make it right. The ability to reward and incentivize employees is critical to the success of any enterprise. Instead of fixating on who gets credit for anything beneficial, our national labor-management policy should be to strengthen unionized and nonunionized businesses and encourage job creation. This will be good for all Americans, no matter what their union membership status.

I urge the Senate to support the Rubio amendment and adopt this commonsense change to allow American companies and their employees to thrive.

Ms. STABENOW. Madam President, I see Senator RUBIO is on the floor, and

I will now defer to him to offer his amendment.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 2166

Mr. RUBIO. Madam President, I ask unanimous consent to call up amendment No. 2166.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 2166.

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

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

The amendment is as follows:

(Purpose: To amend the National Labor Relations Act to permit employers to pay higher wages to their employees)

At the appropriate place, insert the following:

SEC. ____ PAYMENT OF HIGHER WAGES.

Section 9(a) of the National Labor Relations Act (29 U.S.C. 159(a)) is amended—

(1) by inserting “(1)” after “(a)”; and
(2) by adding at the end the following:

“(2) Notwithstanding a labor organization’s exclusive representation of employees in a unit, or the terms and conditions of any collective bargaining contract or agreement then in effect, nothing in either—

“(A) section 8(a)(1) or section 8(a)(5), or

“(B) a collective bargaining contract or agreement renewed or entered into after the date of enactment of the RAISE Act, shall prohibit an employer from paying an employee in the unit greater wages, pay, or other compensation for, or by reason of, his or her services as an employee of such employer, than provided for in such contract or agreement.”.

Mr. RUBIO. Madam President, this amendment would amend the National Labor Relations Act to allow employers to give merit-based compensation increases to individual employees, even if those increases are not part of the collective bargaining agreement. Essentially, this will make the union contract wage a minimum, while giving employers the flexibility to reward diligent employees for their hard work. The bottom line is that today, if you work at one of these firms and the employer wants to give you a raise, they can’t do it because it goes against the collective bargaining amount. So this amendment would allow them to do that.

That is a brief explanation of the amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, this amendment is a solution in search of a problem. I don’t know—have any of my colleagues here had unionized businesses come to them complaining that they can’t give a raise? Have any of my colleagues ever heard of that—they have complained they can’t give a raise?

The fact is collective bargaining agreements already provide—many of them—for merit-based performance in-

creases. That is part and parcel of a lot of the agreements today. So what this amendment basically does is it undercuts the National Labor Relations Act. That is exactly what it does. If you think we should do away with the National Labor Relations Act and all the benefits and all the protections it has both for businesses and for workers, this is your amendment right here. Quite frankly, I can’t think of anything that would be more disruptive of a workplace than this amendment. When a business and workers have agreed on a collective bargaining agreement, this would destroy that kind of comity in the workplace.

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

The Senator from Florida.

Mr. RUBIO. Madam President, I disagree. And I know we are now going to vote on this matter, so I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The bill clerk called the roll.

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

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

[Rollcall Vote No. 163 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

2501 PROGRAM

Mr. UDALL of New Mexico. Madam President, I have filed an amendment relating to the Socially Disadvantaged Farmers and Ranchers Program that I would like to bring to Senator STABENOW's attention.

As the Senator knows, the Outreach and Assistance to Socially Disadvantaged Farmers and Ranchers Program, also known as the "2501 Program," helps our Nation's historically underserved producers gain access to the U.S. Department of Agriculture's credit, commodity, conservation, and other programs and services.

The program provides competitive grants to educational institutions, agriculture extension offices, and community-based organizations to assist African-American, Native American, Asian-American, and Latino farmers and ranchers in owning and operating farms and participating in USDA programs. The Outreach and Assistance to Socially Disadvantaged Farmers and Ranchers Program has served more than 100,000 rural constituents in over 400 counties and more than 35 States.

In my State many farmers and ranchers have benefited from projects funded through the 2501 Program.

I will just mention a few.

The New Mexico Acequia Association uses a 2501 grant to improve the sustainability and economic viability of small-scale agriculture among the farmers and ranchers who are part of the historic acequias and community ditches in New Mexico. With this funding the association supports centuries-old irrigation systems and agricultural traditions.

The Northern New Mexico Outreach Project, run by the New Mexico State University Cooperative Extension Service, is also working in my State to develop an education network system between northern New Mexico Hispanic and American Indian farmers and ranchers.

And with the help of 2501 funding, the Taos County Economic Development Corporation is revitalizing ranching and farming traditions that support the cultures of the area, utilizing new technologies and marketing opportunities.

Thanks to the efforts of the committee, the Socially Disadvantaged Farmers and Ranchers Program can now also extend benefits to veterans.

My amendment would have provided additional funds to support the traditional and new constituencies of the program by increasing direct funding for the program to \$150 million over 5 years.

It would continue assistance to disadvantaged farmers and ranchers. And ensure that veterans are fully able to benefit from the program.

The committee mark of the Agriculture Reform, Food and Jobs Act of 2012 includes \$5 million in annual mandatory funds for the Socially Disadvantaged Farmers and Ranchers Program and \$20 million in annual discretionary funds for the program.

I hope that the Senator and her committee will work with me and with the Appropriations Committee to ensure adequate funding is allocated to the 2501 Program through the Appropriations process in the coming years.

Ms. STABENOW. I want to begin by thanking the Senator from New Mexico for his thoughtful work on this issue. This is an important program, and I commend the Senator for offering his amendment. As we move forward, I am happy to work with the Senator to engage the Appropriations Committee to provide adequate annual funding for the program in the coming years.

Mr. UDALL of New Mexico. I thank the Senator. I am certain she is aware that the USDA's Office of Inspector General released a preliminary audit report in May finding a level of mismanagement of the 2501 Program within the Office of Advocacy and Outreach, or OAO. The report found that OAO officials had not adhered to the agency's draft policies and procedures and did not carry out proper documentation during the selection of 2012 grant recipients.

The OAO has had an immediate and deliberate response to the report. The previous manager of the Socially Disadvantaged Farmers and Ranchers Outreach Program has been replaced, the office is putting in a more long-term staff, and the 2012 applicants and grant recipients are being reevaluated.

As the Senator knows, the 2501 Program is vital to ensuring that historically underserved farmers and ranchers have access to USDA programs. And, with the new mission to also serve veteran farmers and ranchers, it is more important than ever that the outreach program be properly administered.

I look forward to working with the Chairwoman and the committee in its oversight role to ensure that the Outreach and Assistance to Socially Disadvantaged Farmers and Ranchers Program is properly and effectively administered.

Ms. STABENOW. I, too, am concerned by the recent administration of the program, and I thank the Senator for addressing some of those issues in his amendment. I am hopeful that the positive steps already taken by the Office of Advocacy and Outreach will ensure the 2501 Program's continued success. I know that the Senator will continue to monitor this situation closely, and I look forward to working with him to ensure that the office fully complies with the recommendations of the OIG report and that the most qualified applicants are awarded grants.

Mr. UDALL of New Mexico. I thank the Senator. In closing, I would like to thank the Senator, the members of the Senate Agriculture Committee, and dedicated staff for all of the efforts to negotiate a good farm bill, one that provides significant savings and eliminates antiquated subsidies but seeks to ensure a sound future for agriculture and access to healthy food for families across the Nation.

Madam President, I rise today to discuss the farm bill. First, I wish to thank Senator STABENOW and Senator ROBERTS for their efforts in crafting a bill that will strengthen our agricultural and rural economy as well as one which reflects fiscal realities. Chairwoman STABENOW and Ranking Member ROBERTS reached across the aisle. They relied on common sense and they found common ground, with compromise and with a focus on results. They, and the members of the Agriculture Committee, worked together and created this bipartisan legislation.

We all know how important this bill is for the 16 million Americans whose jobs are in agriculture and for the consumers who depend on safe, affordable food. It is also important for the families who need nutritional assistance and for the prudent stewardship of our lands. The importance of this legislation cannot be understated.

Like so many New Mexicans, farming and ranching are in my blood. My grandmother drove cattle through New Mexico in the late 1800s. Ranching and farming is a part of my heritage, and of New Mexico's. And it is vital to our economy. More than 20,000 farms are in New Mexico.

The people in my State know that ranching and farming is hard work. The only thing one can count on is uncertainty. It is a uniquely risky business, vulnerable to calamities of weather, subject to global fluctuations in prices and unfair competition. But, American agriculture is the world's leader. It is second to none. It is crucial to our economy and to our national security.

This legislation is truly a reform bill. It is the most significant reform of our agriculture policy in decades. For years, Congress has reauthorized confusing and inequitable farm subsidies, and the public looked on in wonder. The subsidies have in some part helped to keep sectors of US Agriculture vibrant, but, there have been blatant inefficiencies and waste. The rules surrounding direct payments is one example. Such rules do not even require that the recipient grow the covered commodity to receive their payment. The result is an inequitable flow of Federal funds. This hinders new producers and short changes producers who were not lucky enough to own "base acres" when they were identified in the 1980s.

For decades, farm bills have come and gone without the subsidy reforms Americans have been calling for. But Chairman STABENOW and Ranking Member ROBERTS have taken that unprecedented bold step. Their bill ends direct payments and other major subsidies once and for all.

The 2012 Senate farm bill offers a more equitable insurance that producers buy into. It is not mandatory, but it is a sound safety net that will support American producers.

Chairman STABENOW and Ranking Member ROBERTS also set new precedent in turning more attention to

crops historically left on the sidelines. Their bill boldly supports fruits, vegetables, nuts and other products so important to creating healthy living. The bill promotes access to nutritious food through farmers markets and locally grown produce. And it strengthens specialty crop provisions. My State is justly famous for its green chile. This bill will help chile and other specialty crops find export markets. And it provides for more research to keep these crops vibrant and competitive.

This legislation will create a more even playing field for dairy farmers, providing a safety net that has no regional or size bias. The bill also continues essential support for livestock producers. In my State, ranchers face grave threats from severe drought and fires and from the continued loss of grazing lands.

This farm bill streamlines and consolidates programs and it reduces the deficit by over \$23 billion. Let me repeat: \$23 billion in deficit reduction. That is twice the amount recommended by the Simpson-Bowles commission.

This is a strong bill overall. It is not perfect. It consolidates and simplifies conservation programs. But, unfortunately, there are significant cuts in funding. There are cuts in programs that protect watersheds, grasslands, soil, and habitats. These are programs that producers depend on. There are cuts in programs to restore forage, ensure compliance with environmental laws, and maintain healthy soil. It is truly unfortunate to lose such vital funding.

The farm bill covers a very large canvas and addresses many diverse needs. There will be, and should be, healthy debate.

I want to speak today about three specific amendments that I believe will improve this bill.

First, I have filed an amendment to restore mandatory funds for the Outreach and Assistance to Socially Disadvantaged Farmers and Ranchers Program. Thanks to the efforts of the committee, this program can now extend benefits to veterans. My amendment would ensure that the necessary funds are there. This program has helped our Nation's historically underserved producers for over 20 years by providing better access to Department of Agriculture credit, commodity, and conservation services and by providing technical assistance. It has worked and it deserves continued support.

The Outreach and Assistance to Socially Disadvantaged Farmers and Ranchers Program has served more than 100,000 rural constituents in over 400 counties and more than 35 States. With adequate funding, it can also provide critical support for veteran farmers and ranchers.

Specifically, my amendment would restore direct funding to \$150 million over 5 years.

It would continue assistance to disadvantaged farmers and ranchers and

ensure that veterans are fully able to benefit from the program.

Second, I have proposed an amendment for rural development funding for frontier communities. Across our Nation, including in my home State, there are many very small, very rural communities with a population density of less than 20 people per square mile. These are great communities, proud communities, with rich histories. But, they have a hard time competing for rural development loans and grants. Often, they don't have the personnel. They don't have the resources. But, their need is just as great as that of larger communities.

My amendment would create a set-aside for frontier communities allowing them to access USDA funds targeted for these very small, very rural communities. It would allow the USDA to reach our Nation's most rural and underserved communities. The set-aside would be a minimum of percent of rural development programs and it would allow frontier communities to qualify for up to 100 percent grant funding, with no minimum grant or loan requirement.

My amendment would also create a grant program for technical assistance and planning for frontier communities, making sure that funding goes as far as possible. Financing for this program would be from overall rural development funding of no more than 5 percent.

And, third, I have filed an amendment for a rural development set-aside for community land grants. These land grant Mercedes are part of a unique and important history in the southwest dating back to the treaty of Guadalupe-Hidalgo. These were grants of land made by the governments of Spain or Mexico to entire communities.

These community land grants have a history of loss of land, a history of manipulation and unkept commitments, and a recognized need for increased economic opportunities. My amendment proposes to respond to this unfortunate history. Rural development assistance is crucial to these unique communities.

I wish to again commend my colleagues for this bipartisan legislation. It will continue building our economy by providing jobs and by providing the certainty that producers need for innovation and growth and by providing for the safest, healthiest, and most abundant food supply in the world.

Mr. KOHL. Madam President, I rise to support and encourage passage of this farm bill.

Farm bills are difficult measures to shepherd through this chamber. There has never been—and never will—be a 'perfect' one in the eyes of every Member of this body. But American agriculture needs a new farm bill and this one deserves our support for a variety of reasons.

For starters, it delivers over \$23 billion dollars in savings at time when our Nation's balance sheet needs it most.

It improves nutrition programs by curbing fraud and improving program integrity. Hungry Americans—many of whom are children—need a food safety net when times are tough. These changes support that safety net and deliver more accountability to taxpayers.

This bill also responds to concerns articulated by dairy farmers who are hugely important to me and to Wisconsin. Long-time farm policy observers know of my enduring interest in dairy policy. The MILC program, which I co-authored with several of my colleagues in this chamber, was the first comprehensive safety net for American dairy producers. It provided payments in time of low prices and cost the government nothing when we had robust dairy prices. Dairy farmers today face new and different challenges. In recent years they have seen situations where, despite robust milk prices, their input prices dramatically escalated and their margins evaporated. The dairy policy embodied in this bill recognizes that challenge and establishes margin protection insurance. Participants will be given the option to choose the level of margin protection that makes the most sense for their dairy operations.

I supported a number of amendments to this farm bill. Among them were modifications to enhance rural development and programs for beginning farmers. Farm bills touch our Nation in many different ways, and these are two areas that merit more attention and continued diligence. I also opposed a number of amendments because I feared they would undermine agriculture exports, our ability to innovate, and our organic agriculture sector.

Finally, I want to congratulate the chair and ranking member of the Senate Agriculture Committee for their diligent work. It takes an enormous amount of effort to move a farm bill. They worked hard to find consensus and deserve our thanks. I also want to acknowledge with thanks their staff, including Cory Claussen and Jonathan Coppess of the majority and Eric Steiner from the Republican staff. They worked very hard on a variety of topics, including the dairy provisions.

I encourage my colleagues to support the bill.

Mr. CASEY. Madam President, I support passage of the 2012 farm bill, S. 3240, the Agriculture Reform, Food, and Jobs Act of 2012.

I have made it a priority to keep Pennsylvania's agricultural industry and our rural economies strong to support Pennsylvanian families.

Agriculture is the Commonwealth's largest industry. Pennsylvania's farm gate value that is cash receipts to growers, in 2010, was \$5.7 billion. Agribusiness in Pennsylvania is a \$46.4 billion industry, and 17.5 percent of Pennsylvanians are employed in the food and fiber system. What does this mean?

It means that the Senate MUST pass this farm bill, that the House must pass a farm bill, and that the President

must sign a farm bill into law before it expires at the end of September.

The farm bill creates economic opportunities in our rural areas and sustains the consumers and businesses that rely on our rural economy. When the cows need to be milked, dairy farmers go out to the barn and do their jobs. We should follow their example and reauthorize the farm bill in a responsible way that helps contribute to deficit reduction.

If passed into law, this farm bill would reduce the deficit by approximately \$23 billion through the elimination of some subsidies, the consolidation of programs, and producing greater efficiencies in program delivery.

Dairy is the Commonwealth's No. 1 agricultural sector. The dairy industry annually generates more than \$1.6 billion in on-farm cash receipts, which represent about 42 percent of Pennsylvania's total agricultural receipts.

I introduced two dairy bills this Congress: the Federal Milk Marketing Improvement Act, S. 1640, and the Dairy Advancement Act, S. 1682. These bills are aimed to ensure that farmers receive a fair price for their milk to increase price transparency, to protect against price volatility, and to encourage processor innovation.

I am concerned that while the proposed dairy program to manage the Nation's milk supply will reduce the volatility of dairy farming, that program will discourage innovation and exports, as well as send the wrong signals to our trading partners.

I secured language which requires USDA to thoroughly examine if the dairy market stabilization program is working, and if it is not working, make recommendations on how to fix it. This bill also contains my amendment to codify the frequency of dairy product reporting that is important for the dairy industry to make business decisions. It would also require USDA to examine whether it would be practical to move to a two-class system for milk that could help to simplify the Federal milk marketing orders.

Dairy farmers deserve the best dairy program possible. The Senate bill contains many improvements that I support.

Making risk management and crop insurance products work better for Pennsylvanians, especially small farmers, specialty crop farmers, and organic farmers is very important.

This bill contains language similar to an amendment that I offered during the Agriculture Committee's markup that would help to improve crop insurance for organic farmers.

Providing funding through risk management, conservation, and agricultural marketing agencies to underserved States, the Agricultural Management Assistance, AMA, Program helps to make the farm bill more equitable among regions.

I sincerely appreciate the chairwoman's and ranking member's work to enhance the Agricultural Manage-

ment Assistance Program, including support for organic transition assistance.

The improvements in this bill to crop insurance delivery are critical.

We have worked to address the unique concerns of specialty crop farmers and beginning farmers—and we have done so in a bipartisan way.

Specialty crops are very important to Pennsylvanian agriculture.

After working with the chairwoman and ranking member, I was able to ensure improvements in promotion programs within the farm bill and direct USDA to assess the feasibility of allowing organic producers to participate in an organic foods promotion program.

The Specialty Crops Research Initiative, SCRI, Specialty Crops Block Grant Program, and Fresh Fruit and Vegetable Snack Program all advance the specialty crops industry, playing a key role in ensuring that this important agricultural sector receives continued acknowledgement in the farm bill. These programs remain strong under this bill.

In addition, the Nation's organic industry has grown exponentially from \$3.6 billion in 1997 to \$29 billion in 2010, with an annual growth rate of 19 percent from 1997 to 2008. In 2008, Pennsylvania was ranked sixth in number of organic farms with 586 and third in sales at \$212.7 million.

Through research, we develop more efficient and effective farming methods. Research also helps producers maintain a competitive edge in the global market by fighting threatening diseases and pests.

I am pleased that the farm bill invests in relevant and targeted research and maintains the Animal and Plant Health Inspection Service programs that work to eradicate the invasive species that threaten our Nation's forests and farms.

The U.S. Forest Service's State and private forestry programs are essential for assisting forest landowners in managing threats and enhancing stewardship. I am pleased that the farm bill continues the Forest Stewardship Program, FSP, so that forest owners can create long-term management plans with the technical assistance of State forestry agency partners.

I am also grateful to the chairwoman and ranking member for working with me to fix USDA's Biopreferred Program to even the playing field for Pennsylvanian forestry products. Revenues from Pennsylvania's forest products industry exceed \$5.5 billion annually. Over 10 percent of the State's manufacturing workforce is involved in the forest products industry.

I am appreciative to the committee for the inclusion of my provision directing USDA to work with the Food and Drug Administration toward the development of a standard of identity for honey, a tool which will promote honesty and fair dealing and serve the interest of consumers and Pennsylvania's honey industry. The majority of

our honey is imported, but because there is no standard, contaminated, low-quality honey continues to pass through customs and undercut our domestic product. Pennsylvania is a major player in the honey industry. Honey bee pollination can be directly attributed to the production of about \$60 million of agricultural produce in Pennsylvania annually.

I am committed to keeping Pennsylvania's rural communities strong and support rural development programs that provide access to capital for rural businesses to provide economic opportunities and create jobs. A rural community's viability in attracting and keeping businesses is often directly related to the condition of its infrastructure and facilities. USDA's rural development programs empower rural communities, transform local economies, and preserve the quality of life in small towns across the Commonwealth. A rural economic development program that saves and creates jobs in rural economies and improves rural life is extremely important for Pennsylvanian families.

I introduced the Growing Opportunities for Agriculture and Responding to Markets, GO FARM, Act, which will help to enhance local food systems and encourage production of food for local communities. The GO FARM Act would provide loans to third parties to lend to producers growing products for local markets. In addition to the GO FARM Act, I support increasing the availability of healthy foods, addressing the issue of food deserts and developing and improving local food systems.

Farmers are the original stewards of the land and continue to lead the charge in protecting our natural resources. I believe the voluntary conservation programs in the farm bill provide important tools to help farmers comply with Federal and State regulations while keeping farmers in business. I am committed to making conservation programs more efficient, effective, and relevant to farmers.

Conservation programs are an extremely important resource for many Pennsylvanian farmers. I worked with my Senate colleagues to support enhancements to conservation programs through this process in an effort to ensure that these remodeled programs would better serve the needs of Pennsylvanians.

Pennsylvania's watersheds contribute more than half of the fresh water flowing to the Chesapeake Bay. While Pennsylvania does not border the bay, activities in the Commonwealth profoundly affect the bay's health. The bay, the largest estuarine ecosystem in the U.S., and its tributaries, such as Susquehanna and Potomac Rivers, are important to the region's economy, culture, and outdoor recreation.

Under the 2008 farm bill, the Chesapeake Bay Watershed Initiative, CBWI, provided essential support to farmers facing Federal and state regulations

concerning water quality and helped to meet demand for conservation programs. In advance of the Agriculture Committee's consideration of the 2012 farm bill, I introduced the Chesapeake Bay Watershed Fairness Act, which among other things reauthorized the CBWI, because I know Pennsylvania farmers used this program very well.

I am grateful that the 2012 farm bill contains portions of this legislation which are aimed at equipping farmers with the tools necessary to better meet water quality goals. However, in this bill, CBWI is not continued. Due to the committee's desire to reduce the number of conservation programs, the farm bill consolidates four different programs into one that will provide competitive funds to regional partnerships and will also provide conservation funding directly to producers. CBWI was one of the programs that got folded into this new program.

I worked very closely with other Senators from the watershed to strengthen the conservation title to better benefit our region. Together we secured significant policy improvements. The current bill focuses on the most critical conservation areas and will help farmers in the Chesapeake Bay watershed participate in conservation programs so that they can help the region meet water quality standards.

Pennsylvania's agricultural producers and forestland owners use the Environmental Quality Incentives Program, EQIP, to implement conservation practices, which might otherwise be cost prohibitive, to protect valuable natural resources.

Further, the Farmland Protection Program, FPP, protects prime farmland from development. FPP should remain a permanent easement program to keep working lands preserved as farm land; should keep State, local governments, and nongovernmental organizations as partners; and should certify successful entities like the Pennsylvania Department of Agriculture's Bureau of Farmland Protection to improve the efficiency of this program. We worked very hard to make improvements to FPP during the last farm bill and those developments continue.

While I do not mention all of the farm bill conservation programs, I do believe that each serves an important purpose.

Ending hunger remains one of my top priorities, as it cuts across all of the major challenges we face as a country. There is no better opportunity to strengthen nutrition policy and programs than through a well-crafted farm bill.

The Supplemental Nutritional Assistance Program, SNAP, is the Federal Government's primary response to the food insecurity experienced by so many people. SNAP is an integral part of the overall safety net, which enables people to get back on their feet.

Similarly, The Emergency Food Assistance Program, TEFAP, enables

food banks, shelters, and other providers to deliver necessary food packages and meals to people with emergency food needs. The Senior Farmers' Market Nutrition Program and the Commodity Supplemental Food Program also provide vital food resources to low-income seniors who are often not helped by other food assistance programs. I support these programs as they assist the most vulnerable of our society—children, seniors, and families experiencing food insecurity.

As Congress works to authorize the 2012 farm bill, I will continue to fight to protect the needs of Pennsylvanians.

I urge my colleagues in the Senate to pass this farm bill.

Mr. REED, Madam President, the Agriculture Reform, Food, and Jobs Act of 2012, also known as the farm bill, makes some strides in reforming agriculture policy and subsidies. However, in my view, these reforms are not sufficient. Moreover, the bill contains cuts to nutrition and conservation programs and changes to eligibility for rural communities that when taken together make it worse than current law. As such, I will oppose the bill, although I do so reluctantly.

Indeed, despite my conclusions, I commend Chairwoman STABENOW for crafting a bill that delivers \$23.6 billion in taxpayer savings over 10 years, cracks down on abuse, and eliminates egregious payments to nonfarmers, millionaire farmers, and farmers for crops they aren't growing.

The bill also makes several positive changes to programs important to my home State of Rhode Island that help small farms, farmers markets, and local food production. Rhode Island is a model example of the small and local farm movement. Since 2002, the number of farms has increased from 858 to 1,220 farms, whereas the average farm size in the State has actually decreased from 71 to 56 acres. That is why I am pleased that the bill includes many measures from Senator SHERROD BROWN's Local Farms, Food and Jobs Act that I cosponsored and increased funding for specialty crop block grants to support research and promotion of fruits, vegetables, and other specialty crops.

The bill also initiates new hunger-free communities incentive grants by providing funding of \$100 million over 5 years for a national pilot to incentivize the purchase of fruits and vegetables at farmers markets by SNAP participants. A similar privately funded program has already been successfully implemented in Rhode Island where every \$5 in SNAP benefits spent at a farmers market allows low-income individuals to receive an additional \$2 in fruits and vegetables. It is good to see the ingenuity of our States replicated at the national level in ways to help low-income families have access to nutritious local foods.

Another positive measure is the enhancement of the Farmers Market and Local Food Promotion Program to aid

direct producer-to-consumer marketing channels and local food sales to retailers and institutions. The bill also doubles mandatory funding for this program.

However, as a recent Washington Post editorial stated, "The current bill achieves some reform. There is still much more to be done."

While the current bill cuts direct payments by \$44.6 billion, it restores \$28.5 billion of those cuts by creating a new market-based program called Agriculture Risk Coverage and adds an additional \$5 billion for crop insurance.

Indeed, many of the reform measures in the bill do not go as far as those in the Lugar-Lautenberg Fresh Act of 2007, which I cosponsored during the last farm bill debate.

At the time, that measure would have increased funding by \$2.5 billion for nutrition programs, SNAP, and specialty crops, and \$1 billion more for conservation programs. In contrast, the Senate bill we are currently debating cuts SNAP by \$4.5 billion and conservation programs by \$6.4 billion.

The nutrition cuts are particularly challenging for Rhode Island, where roughly 1 in 6 people receives SNAP benefits and the unemployment rate remains at a too-high rate of 11 percent, the second highest in the country.

SNAP usage is unfortunately very high right now as Americans are struggling along with the economy to get back on track. No one wants to see such a high need, but at the same time SNAP assistance is the lifeline for these families to be able to put food on the table. My colleagues on the other side of the aisle shouldn't be trying to cut these funds; they should be working with us instead of thwarting our efforts to pass meaningful jobs bills that could help many of these SNAP beneficiaries find work and lessen their need for assistance.

That is why I cosponsored and voted in favor of Senator GILLIBRAND's amendment that would have restored the nutrition cuts, which the Congressional Budget Office, CBO, estimates would result in an average benefit cut of \$90 per month for 500,000 households nationwide. According to RI Department of Human Services, approximately 20,000 households could see an average SNAP cut of \$95 per month if the cuts were implemented.

The Gillibrand amendment was paid for by reducing the subsidies that the Federal Government pays the crop insurance companies for administration and operating expenses and lowering their guaranteed rate of return from their current level of 14 percent to 12 percent. That is certainly a reasonable rate of return in this economy.

I was very disappointed that this amendment was not agreed to as this proposed cut of \$4.5 billion starts us down the wrong path in future farm bill negotiations with the House, which is expected to have even deeper SNAP cuts in their bill.

Another provision I am concerned could negatively impact Rhode Island is the change in the definition of rural that could decrease the eligibility for Rhode Island communities to be able to apply for loans and grants under Rural Development programs. I appreciate Chairman STABENOW and Ranking Member ROBERTS working with Members from affected States to include in the managers' package a 3-year grandfathering of existing communities and an important stipulation that thereafter communities shall remain eligible unless ruled otherwise by the Secretary of Agriculture. However, the change in the definition does not completely remove the uncertainty for Rhode Island rural communities to be eligible in the future as they look to make needed improvements to their water and waste disposal systems or community facilities.

We need to help out the small farmers and businesses in this country, not continue to help the large, wealthy farmers. And we certainly should not pay for expansive farm programs by placing additional burdens on those who are struggling to make ends meet.

It is for these reasons that I am unable to support this bill in its current form. While I fear the bill will only get worse as negotiations begin with the House, I certainly hope the matters that I have raised can be addressed during that process.

Mr. LEVIN. I am pleased to vote for passage of the Agriculture Reform, Food and Jobs Act. The bill before us makes important reforms to farm programs by helping agricultural producers manage their risk, invests funding to protect our natural resources, and provides food assistance to families in need.

America's agricultural economy is responsible for 16 million jobs. There are over 2 million farms in this country that contribute nearly \$80 billion to the Nation's economy. Americans and people all over the world depend on America's farms to feed their families. So passage of a farm bill that protects the food supply, gives farmers the support they need, and combats hunger is of high importance.

I want to congratulate Senator STABENOW, the chairman of the Senate Agriculture Committee and my Michigan colleague, for managing this important legislation so skillfully.

This bill marks important change in how we assist our Nation's farmers. Instead of making direct and counter-cyclical payments to farmers, sometimes for crops they haven't even grown, this bill ends those practices and instead focuses on working with farmers to manage risks.

My home State of Michigan is second only to California in the number of crops grown and second to none in tart cherry production. Unusually warm weather in March resulted in an early bloom for many of our fruit crops, including tart cherries. These crops were then heavily damaged by a series of freezes during April and May.

I visited a cherry orchard in northern Michigan last month and viewed the damage. The damage from these freezes is severe; many trees and entire orchards will bear no fruit at all. Growers still need to maintain their orchards, spraying for bugs and disease, but can expect no payment for their crop. I am particularly concerned about tart cherry growers as they cannot currently purchase crop insurance.

The bill we are voting on today directs the Federal Crop Insurance Corporation Board to develop new crop insurance policies for underserved crops, including specialty crops like cherries. The bill also increases funding to help develop these policies. These new policies are sorely needed in Michigan.

The bill also includes \$58 billion over a 10-year period for conservation programs that protect our Nation's waters, soil quality and wildlife habitats, prevent erosion, and help alleviate other natural resource problems. These programs have benefitted Michigan by protecting sensitive lands and waters and preventing polluted runoff and sediments from getting into our precious Great Lakes, where they can create problems such as harmful algae blooms. Preventing runoff and controlling erosion can also lower costs for water treatment and dredging of Great Lakes harbors. To create a more efficient system for accessing and implementing these conservation programs, the bill consolidates more than 20 existing programs into 10 programs.

One new program in the bill, the Regional Conservation Partnership Program, in particular could benefit the Great Lakes. This program would provide funding through a competitive process for conservation projects that improve soil quality, water quality or quantity, or wildlife habitats on a regional or watershed scale. Because the Great Lakes region already has a regional plan in place, our region should be able to effectively compete for the \$250 million in annual funding that would be provided for this program. We have made some solid progress in cleaning up our Great Lakes and other waters in Michigan, but there is still much more to be done. The conservation funding provided in the farm bill would help with the efforts to protect and restore the Great Lakes, as well as protect sensitive lands and wildlife, conserve open space and forests, and provide economic benefits.

Mr. HARKIN. Madam President, as is evident from the amount of debate and attention devoted to it, the Agriculture Reform, Food, and Jobs Act of 2012 is an enormously important piece of legislation for our Nation, as it certainly is for my State of Iowa. Although the measure is commonly referred to as the farm bill, that name captures just a fraction of what it contains to benefit all Americans and millions of others around the world.

Despite the severe economic challenges over the past half decade, agriculture and agriculture-related jobs

and economic activity have been a real source of hope, opportunity, and recovery. That is especially so in my State, where agriculture generates about one of every five Iowa jobs and about a fourth of our State's economic output.

Iowa is well known, of course, for its distinctive farm state and smalltown character and for producing corn, soybeans, hogs, cattle, eggs, and other commodities. We have enjoyed tremendous benefits from greater diversification in agriculture and the rural economy. Take for example the boom in biofuels such as ethanol and biodiesel and in wind power.

It is critical for us to enact this bill in order to continue and enhance the contributions of agriculture and agriculture-related industries to our Nation's economy, to jobs, and to meeting ever-growing global demands for food, fiber, and energy.

I commend Chairwoman STABENOW and Senator ROBERTS, the ranking Republican member, for all of their hard, conscientious, and successful work on this bill. I also thank them for their efforts to take into account and reflect in this bill the circumstances, views, and needs of both rural and urban America as well as the various regions and types of agriculture across our Nation. I certainly appreciate their task. This is the eighth farm bill I have worked to enact, starting as a member of the House Agriculture Committee. Since 1985 I have served on the Senate Agriculture, Nutrition, and Forestry Committee and am proud to have been the chairman of that committee during the writing and enactment of the most recent two farm bills.

This legislation, approved by our committee in April, is a sound, balanced, and bipartisan bill crafted under budget conditions that have necessitated difficult decisions, judgments, and compromises. According to scoring by the Congressional Budget Office, this measure will reduce spending over the next 10 fiscal years by more than \$23 billion from budget baseline levels.

The spending reductions in programs encompassed in this bill thus appear to be several billion dollars larger than the automatic spending cuts slated to begin in January of next year under the sequestration mechanism in the Budget Control Act of 2011. Hence, this farm bill is a serious, good-faith effort going significantly beyond the minimum to reduce our budget deficits and curtail our Nation's debt. Again, these spending reductions will have very real impacts, and frankly I regret them and their consequences. We are not a Nation investing too much in the future of our Nation's agriculture and food system, in fighting hunger and malnutrition, in conserving our Nation's soil, water, and other resources for future generations, in securing our future with renewable energy and biobased materials, or in strengthening and growing jobs in our Nation's small towns and rural communities. Unquestionably, because of our Federal budget

situation and choices that have been made in dealing with it, there is less money to respond to national needs and priorities in the Federal policies and programs covered in this bill.

Given the budgetary hand dealt it, the Agriculture Committee, with the bipartisan leadership of our Chairwoman and Ranking Member, reported a bill combining budget savings with genuine reforms throughout its various titles. The most significant reform—in fact, pivotal reform—lies in the substantial changes in the commodity and farm income protection programs.

To help farm families and rural communities survive and manage the inevitable vagaries of weather and markets, the new farm bill continues a strong system ensuring a degree of stability and protecting against significant losses in farm income. The legislation contains major reform in terminating the existing direct and countercyclical Payments Program and replacing it with the Agriculture Risk Coverage, or ARC, program. ARC is designed to compensate for a portion of farm revenue losses and to supplement the revenue insurance policies that farmers typically rely upon to manage risk.

Because farm income protection based on revenue accounts for the fact that farm income is the product of crop yield times its price in the market, ARC is an improvement over the direct and countercyclical payments program in current law. Direct payments are made in fixed amounts according to each farm's base acreage and program payment yields, which in general were established decades ago. Consequently, the direct payments do not accurately reflect or respond to existing economic circumstances in agriculture because they are made without regard to a farm's current planted acres of crops or to whether crop prices and yields are high or low. The existing countercyclical payment program compensates for a portion of losses when the national average price of a covered commodity falls below a statutory target price. But the countercyclical program's target prices are well below current market prices and costs of production for commodities, and of course, a price-based system does not account for yield losses.

Agricultural producers have been divided over the direct payments since they were adopted in the Federal Agriculture Improvement and Reform Act of 1996 as a replacement for the then-existing target price income protection system. Supporters of direct payments note that they are considered not to be production or trade distorting and that they provide income assistance to farmers who may not benefit much from other commodity programs or crop insurance.

From their beginning, I believed that the direct payments were not sound policy. Within a few years, after they were enacted during a period of strong commodity prices, the direct payments proved inadequate to protect farm in-

come in the face of a sharp falloff in commodity prices, and so we had to resort to enacting ad hoc emergency legislation to make up for the shortcomings of the direct payments.

To restore better protection against farm income losses, I introduced legislation in November 2001 to create a new countercyclical target revenue program. As chairman of the Senate Agriculture Committee, I was pleased that we then reinstated a countercyclical income protection program in the 2002 Farm Security and Rural Investment Act. In 2007 and 2008, with the leadership of Senator DICK DURBIN and Senator SHERROD BROWN, I was pleased that we included the Average Crop Revenue Election, or ACRE Program, in the Food, Conservation, and Energy Act of 2008. ACRE is, of course, the forerunner of the ARC program in the pending new farm bill.

The reform and evolution reflected in this new farm bill is very greatly facilitated by the significant improvement and strengthening of the Federal Crop Insurance Program. Crop insurance, particularly the revenue policies, are now vitally important to agricultural producers, their lenders and creditors, and to the rural economy. So it is an important feature of this bill that it further strengthens and improves the Crop Insurance Program, building upon the Agriculture Risk Protection Act of 2000 and additional improvements in the past two farm bills.

The pending bill also continues a strong conservation title with highly effective programs and funding for them, along with extensive reforms, streamlining, and updating of their structure and functioning. The Department of Agriculture's conservation programs have an outstanding record of success in helping America's farmers and ranchers produce an abundant supply of food, fiber, and fuel, while conserving and protecting our Nation's soil, water, wildlife, and other natural resources. Again, I very much regret that budget circumstances have imposed spending reductions in the conservation title of this bill. There is far more conservation work to be done and demand for USDA conservation assistance than can be met with existing levels of funding. But, as I have noted, these funding reductions are the reality for the crafting of this bill.

In the past two farm bills, as chairman of the Senate Agriculture Committee, I made a very strong push for strengthening the full range of USDA conservation programs and for increasing funding to respond to the need and demand for conservation assistance to farmers and ranchers across our Nation. In the 2002 and 2008 farm bills, we very substantially increased our Federal investment in agricultural conservation, building upon successes in preceding farm bills, especially owing to the leadership of the former chairmen of the Senate Agriculture Committee, Senator LEAHY and Senator LUGAR.

For many years, I have emphasized the necessity of promoting and assisting sound conservation practices on land in agricultural production, often referred to as "working lands". Agricultural producers are striving to produce much more food in the coming decades to nourish billions more inhabitants of the the Earth. If we hope to produce more and more food in the coming years, it is critical to conserve the underlying resources that support agricultural production.

My objective has been to enact and invest in programs that compensate and assist agricultural producers for their costs, foregone income, and environmental benefits associated with adopting and maintaining practices that protect and sustain soil, water, wildlife, and other resources. In the 1990 farm bill, the Food, Agriculture, Conservation, and Trade Act, we included the Agricultural Water Quality Incentives Program, which I had authored, to provide incentive and cost share payments for practices addressing water quality issues in agricultural production.

In the 1996, 2002, and 2008 farm bills, we substantially expanded and improved conservation programs covering land in agricultural production. I am especially proud of the Conservation Stewardship Program, CSP, which I authored and worked successfully to include in the 2002 farm bill, where it was then named the Conservation Security Program. CSP now has enrolled nearly 50 million acres of agricultural land across our Nation, including crop land, pasture land, range land, and forest land.

CSP and the Environmental Quality Incentives Program, EQIP, both focus on promoting and supporting conservation on land that is in agricultural production. They are not land-idling programs. Agricultural producers voluntarily enroll in CSP and EQIP because they are committed to good stewardship and these programs help them fulfill that commitment. CSP and EQIP also help farmers and ranchers to take voluntary action to solve environmental and conservation challenges and thereby avoid regulations. Participants in both programs contribute their own money, time, and effort, so the Federal funds leverage a significant amount of added private money. The level of interest in and demand for both EQIP and CSP greatly exceeds the funding now available and that which is provided in this bill.

To be clear, America's farmers and ranchers have done a tremendous amount of excellent conservation work. Even so, they know that a good deal more conservation work is needed, and they are dedicated to carrying it out. Providing them assistance through the several USDA conservation programs included in this farm bill is a tremendously important investment in conserving and protecting our Nation's vital natural resources for future generations.

This agriculture and food legislation also continues, with reforms and spending reductions, the Supplemental Nutrition Assistance Program, SNAP, and related programs that help low-income families put food on their tables. No title of this bill is more critical to those who rely upon its benefits, nor is any title more important to our Nation in meeting our responsibilities to our fellow citizens. We hear criticisms of Federal nutrition assistance, but let us not forget that the vast majority of Americans who receive this help are children, seniors, people with disabilities, or working families. Indeed, recent years have shown how vitally important SNAP and related nutrition assistance are to enabling working families and especially the children in these families avoid hunger and malnutrition.

The reforms in this bill reduce Federal spending by limiting eligibility and benefits. I regret that our budget circumstances have led to this outcome, but again I give credit to Senator STABENOW and Senator ROBERTS for holding these cuts to nutrition to much lower levels than other proposals that have been made, including the budget resolution adopted in the House of Representatives. It is also gratifying that this body has in recent days rejected several amendments that would have drastically reduced food assistance for the most vulnerable Americans.

Because the nutrition title in this bill is responsibly and carefully crafted, it continues important reforms and improvements that I am proud we were able to enact in the most recent two farm bills. In the 2002 legislation we restored certain benefits for legal immigrants, restored a portion of benefits that had been cut in previous legislation, increased incentives for work, simplified and increased integrity in nutrition assistance, increased emergency food assistance, dedicated mandatory funding to the Farmers Market Nutrition Program, and adopted a pilot program I authored to provide free fresh fruits and vegetables to children in schools. In the 2008 bill we likewise included key improvements to nutrition assistance, such as further restoring previously cut benefits, encouraging savings by recipients, adopting a pilot program of incentives for healthier eating through SNAP, improved benefits for families with high childcare costs, expanded the Fresh Fruit and Vegetable Program to a national program, dedicated mandatory funding for community food projects, increased mandatory funding for the Senior Farmers Market Nutrition Program, allowed a preference for purchasing locally produced food for child nutrition programs, and dedicated mandatory funds to the Farmers Market Promotion Program.

To promote energy efficiency on farms and in rural businesses and the production and use of renewable energy and biobased products, this legislation

extends, improves, and strengthens programs in the energy title in the 2002 and 2008 farm bill. I am proud to have included the first farm bill energy title in the 2002 legislation, to strengthen and expand the energy title in the 2008 bill, and to continue the energy title as a prominent part of this bill. And thanks to the cooperation of Senators STABENOW, ROBERTS, LUGAR, and CONRAD, we were able to dedicate about \$300 million in new funding to these critical energy initiatives in the bill reported from the Agriculture Committee.

In March of this year, I introduced S. 2270, the Rural Energy Investment Act of 2012, in order to extend the programs in the energy titles of the 2002 and 2008 farm bills and to provide mandatory funding for the energy title of this new farm bill. So I am very pleased that it includes a strong energy title and dedicates mandatory funding to it.

The bill continues the requirement I authored and we enacted in the 2002 farm bill for Federal departments and agencies to purchase biobased products and to create a "BioPreferred" labeling program to encourage private markets for biobased products. Also included in this bill are grants to assist pilot-scale biorefineries and loan guarantees for commercial biorefineries.

This bill appropriately continues the Biomass Research and Development Program, which is a joint initiative of USDA and the Department of Energy that awards grants for research on the full spectrum of bioenergy supply chains, from biomass feedstock development and production, to harvesting and handling, to biomass processing and fuels or products manufacturing.

The Rural Energy for America Program, REAP, the most popular program in the energy title because it provides direct financial support to many farmers, ranchers, and rural small businesses for rural energy systems or energy efficiency projects, is also continued. And this bill extends the Biomass Crop Assistance Program, BCAP, that supports establishment of biomass crops for bioenergy use and provides cost-share payments for harvest and delivery of biomass to user facilities in the initial years.

I am also very pleased that the bill continues, improves, and strengthens a number of initiatives that we included in previous farm bills to assist and promote opportunities for farmers and good nutrition for consumers through farmers markets and increased local production and marketing of food.

In this bill, the Farmers Market Promotion Program is renamed as the Farmers Market and Local Food Promotion Program, and it provides competitively awarded USDA grants to improve and expand farmers markets, roadside stands, community-supported agriculture marketing, and other direct producer-to-consumer marketing, including funding for mobile electronic benefits transfer technology. The grants may also be used to help develop

local systems focused on serving low-income communities. This bill increases the mandatory funding dedicated to the program to a total of \$100 million.

The bill also extends and increases funding for community food projects through grants to nonprofit organizations to be used in improving access to healthy, nutritious food in communities, which can include assistance to farmers markets and other local food marketing systems. We included \$5 million a year in mandatory funding in the 2008 farm bill, and this bill doubles that to \$10 million a year.

For the Hunger Free Communities Initiative, the bill dedicates \$100 million in new mandatory funding for incentive grants to support increased purchase of fruits and vegetables by families participating in SNAP in underserved communities.

To help farmers cover the cost of obtaining certification as qualified organic producers, the bill includes an increased level of mandatory funding, and it continues and funds the organic research and extension initiative. Also continued are the program of block grants to the States to assist fruit, vegetable, and horticulture crop producers and a special program supporting research projects focused on helping these producers. The bill continues the initiative I was pleased to include in the 2008 farm bill to provide cost-share assistance through EQIP to farmers who are making the transition to organic food production.

Mr. President, these are only some of the important features in this new farm bill. It is a strong bill, with substantial reforms and continued progress toward improved food, agriculture, conservation, energy, and rural policies for our Nation.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided prior to a vote on passage of S. 3240, as amended.

The Senator from Michigan is recognized.

Ms. STABENOW. Madam President, I thank my colleagues for their patience and for supporting this bipartisan effort on the agriculture reform, food, and jobs bill.

I thank Senator REID for his incredible patience and willingness to give us this time, and the Republican leader for joining in that effort as well. I especially thank my ranking member Senator ROBERTS for long hours and hard work on this bill to get to this point. It has been truly a partnership. Senator ROBERTS is my friend and my partner in this effort, and I am very grateful.

I have said all along in this debate that there are 16 million people in this country whose jobs depend on the strength of the American agricultural economy and our food systems. The agriculture reform bill is about standing up for our Nation's farmers, our small businesses, our manufacturers, our exporters, and others whose livelihood depends on us getting the policy right.

This represents significant reform. It cuts subsidies, it cuts the deficit, and it creates jobs. We are ending direct payments and three other subsidy programs that pay farmers regardless of losses or whether they are even planting a particular crop. We are putting in place the most significant payment reforms ever.

I thank Senator GRASSLEY for his tenacity and Senator JOHNSON for his partnership in that effort as well. We are cutting Federal spending by \$23 billion by streamlining and consolidating programs. Therefore, we are going to have an opportunity to vote on \$23 billion in deficit reduction—probably the only opportunity to vote on debt reduction in a bipartisan way on the floor of the Senate in the next number of months.

We are eliminating more than 100 authorization programs and streamlining others, strengthening crop insurance, consolidating conservation programs and innovative energy programs, and we are continuing the critical work around nutrition to give temporary help to families who have fallen on hard times. We are also creating more opportunities for families to buy healthy, local food and the opportunity to put fresh fruits and vegetables in our schools and on our tables.

Agriculture is one of the few parts of our economy where we are running a trade surplus, and we need to recognize it is also a job creator. The men and women who work hard from sunrise to sunset to give us the bounty of safe, nutritious food that we put on our tables deserve the certainty of this bill. I urge my colleagues to vote yes on a very important bipartisan effort and yes to the 16 million men and women who bring us the safest, most affordable, most reliable food system in the world.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, when you go back home or if you conduct a press conference or if you have any contact with anybody about what we are doing here in Washington, the No. 1 question is: Why can't you all get along? Why can't you quit pointing fingers of blame? Why can't you end the rhetoric? Why can't you work together? Why can't you get something done?

We knew we had something special when we had a farm bill and the current farm bill was going to expire and you would go back to a farm bill that nobody wanted, or the 1949 act, which is ridiculous, and that we had to move. Farmers and ranchers and their lenders and everybody concerned with agribusiness knew we had to have a farm bill.

We went to work and we got a 16-to-5 vote out of committee, it was bipartisan, and we did it in 4½ hours. That set a record. I don't know of any time where in an Agriculture Committee, House or Senate, that it has been moved in 4½ hours.

Now 2½ days, with 73 amendments, opening it up to everybody regardless of circumstance, regardless if they voted for the bill or not? That is what we have accomplished—2½ days, 73 amendments. It is what can happen if we break the logjam of partisanship and work together to get something done. A tremendous amount of credit goes to the leadership of the Senator from Michigan. I feel very privileged to have worked with her and to work with her staff. They have been like Musketeers, every night, every morning, meeting: What can we do; how can we fix this?

It has worked. So after 2½ days and 73 amendments I thank you all for your patience. If anybody did not get an amendment, I am terribly sorry, I don't know how I missed you; consequently, on that side as well.

Let me say again, \$23 billion provided in deficit reduction through reduced mandatory spending. The chairwoman is right, this is probably the only time on the Senate floor we will actually have a reduction in Federal spending and make our deficit contribution.

This is a good bill. Is it the best possible bill? No, it is the best bill possible. We should move it and we should vote for it. I urge you to vote for it.

I yield.
The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, the Republican leader and I have spoken privately. We would be remiss if we did not say something to the entire Senate about how we feel about this bill and the leadership that was shown by these two fine Senators. Also behind the scenes—we know how hard they worked to get where we are—we have had such good staff involved. These staff people are not fighting with each other. They have causes they are trying to protect for their Members but they do it in a way that is cordial. There has been nothing but courtesy shown for weeks.

I have managed quite a few bills in my day. This is a difficult bill to have in the position we have it in now. I hope our friends in the House see what we have done. We are working together. I know they can. I cannot say enough—although I will try—to applaud and compliment Senator STABENOW and Senator ROBERTS. They are both my friends but my view of them has risen appreciably in their legislative methods of getting this done.

They have done it on their own. Senator MCCONNELL and I have done what we can, but we have been bystanders to much that has gone on. It has been the work of these two fine Senators and the cooperation of every Member. I am grateful we are at the point where we are today—2 o'clock. We are going to be able to finish this bill and it is 2 o'clock in the afternoon, not in the morning.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Let me echo the remarks of my good friend. This bill

has been handled in a way entirely consistent with the norms and traditions of the Senate. Members have had an opportunity to express themselves in a whole variety of ways, both relevant to the amendments and a few not relevant to the amendments. Senator STABENOW and Senator ROBERTS have worked together very skillfully. This is one of the finest moments in the Senate in recent times in terms of how you pass a bill.

I think we are all feeling good about the way this has been handled. I think we are moving back in the direction of operating the Senate in a way that we sort of traditionally understood we were going to operate the Senate.

I also thank my good friend, the majority leader. I think this has been a good cooperative effort, to have a process that respects the traditions of the Senate. This is a very fine day in the recent history of the Senate. Again, my congratulations to the chairman of the committee and the ranking member. They did a fabulous job.

I yield the floor.
The PRESIDING OFFICER. Who yields time? All time is yielded back?

The question is on passage of the bill, subject to a 60-vote threshold.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—64

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Barrasso	Gillibrand	Murray
Baucus	Grassley	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Reid
Bingaman	Hoeben	Roberts
Blumenthal	Hutchison	Rockefeller
Blunt	Inouye	Sanders
Boxer	Johanns	Schumer
Brown (MA)	Johnson (SD)	Shaheen
Brown (OH)	Kerry	Snowe
Cantwell	Klobuchar	Stabenow
Cardin	Kohl	Tester
Carper	Leahy	Thune
Casey	Levin	Udall (CO)
Coats	Lieberman	Udall (NM)
Collins	Lugar	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Wyden
Durbin	Menendez	
Enzi	Merkley	

NAYS—35

Ayotte	Crapo	Kyl
Boozman	DeMint	Landrieu
Burr	Graham	Lautenberg
Chambliss	Hatch	Lee
Coburn	Heller	McCain
Cochran	Inhofe	McConnell
Corker	Isakson	Murkowski
Cornyn	Johnson (WI)	Paul

Portman	Rubio	Vitter
Pryor	Sessions	Whitehouse
Reed	Shelby	Wicker
Risch	Toomey	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for passage of the bill, the bill (S. 3240), as amended, is passed.

The bill will be printed in a future edition of the RECORD.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion upon the table.

The motion to lay on the table was agreed to.

Mr. BROWN of Ohio. Mr. President, the Agriculture Reform, Food, and Jobs Act, or the 2012 farm bill, represents the most significant reform of U.S. agriculture in decades. This bill is the product of many months of policy discussions and late night deliberations guided by the steady leadership of Chairwoman STABENOW and Ranking Member ROBERTS. I commend their efforts in successfully navigating this bill. All Americans stand to benefit from their hard work and commitment to reform agriculture policy and strengthen our rural communities.

There is a reason why people across the country—farmers and business owners, faith leaders and county commissioners—have been paying attention to what we are doing.

This bill benefits all Americans, including in Ohio, where 1 in 7 jobs is related to the food and agriculture sector. From making the farm safety net more fiscally responsible, ensuring communities have access to broadband, protecting nutrition and conservation programs, to strengthening initiatives for healthy, nutritious food—this legislation touches all Ohioans.

Also, at a time where there is too much gridlock, this bill is a welcome change.

Many thanks to Leader REID and Senator MCCONNELL for their patience, their cooperation, and for allowing time for proper consideration of the farm bill.

Many of the policies I proposed as legislation and worked to include in this farm bill were made at the suggestion of Ohioans. Traveling across the State on my “Grown in Ohio” listening tour, I learned what is working and what needs to be changed from people whose primary job is to grow our food, feed the hungry, and run small businesses and small towns. Thanks to the many Ohioans who have shared their opinions, ideas, and provided feedback over the past several months. This farm bill is better because of their involvement.

This legislation would not have been possible without the dedicated work of the Senate Agriculture Committee’s leadership of Chairwoman STABENOW, Ranking Member ROBERTS, and that of its members. In particular, I enjoyed the opportunity to work with a number

of my Agriculture Committee colleagues. Their willingness to reach across party lines ensured that this bill had a much-needed dose of Midwestern pragmatism. I would like to thank Senators THUNE and GRASSLEY, as well as Senators HARKIN, NELSON, LUGAR, JOHANNIS, KLOBUCHAR, and CASEY. Their continual engagement in the farm bill process has made a stronger product and I am grateful for their efforts.

The 2012 farm bill has been many months in the making and was made possible by the work of Senate staff, often in a bipartisan manner. Mike Seyfert, Joel Leftwich, and Tara Smith of Ranking Member ROBERTS’ staff were invaluable resources in this process, as well as Jared Hill for Senator GRASSLEY and Lynn Tjeerdsma with Senator THUNE, whose work with my staff was indispensable.

I was continually impressed with the open and collaborative nature of Senator STABENOW’s staff. This farm bill was written in a unique and challenging process—all of which made the efforts by Chris Adamo, Jonathan Coppess, Joe Shultz, Tina May, Brandon McBride, Jacklyn Schneider and others to remain engaged and open to suggestions all the more invaluable. Their hard work has not gone unnoticed.

Mr. CHAMBLISS. Mr. President, I rise today to speak on S. 3240, legislation to reauthorize the farm bill. It is important to reflect on the process and the debate we just had, as well as consider the final product. First, I wish to commend Chairwoman STABENOW and Ranking Member ROBERTS for their diligent efforts in bringing this bill to the Senate floor for consideration and debate. It is no small achievement and there have been countless hours expended by Members and staff on this very important effort. However, in spite of this, as I weigh the bill and its impact on the State of Georgia and the Southeast, I am truly disappointed that I am not able to support it.

This bill does include significant reform with the elimination of direct payments and it makes several improvements to crop insurance. I have always been an advocate of risk management delivered through the private sector. However, the bill establishes a one-size-fits-all program rather than recognizing the limitations of crop insurance for certain regions of the country, namely, the Southeast, and whether the new commodity title program, the Agriculture Risk Coverage, ARC, program can work as a safety net for crops other than corn and soybeans. Leaving producers without an effective safety net provides very little protection and certainty for those outside of the Midwest.

A good idea often stumbles by asking it to do too much. Crop insurance is a tool that addresses risk in an individual crop year. It does not work as a safety net by insuring against multiple-year price declines. This is simply beyond its design and capabilities. Crop

insurance is a critical part of a producer’s risk management program, but it is not a cure-all to a commodity market that can expand and contract based on the vagaries of weather, disease, and international events. That is why farm policy in the past encouraged programs such as the marketing loan and the countercyclical program to work with, not in competition, to crop insurance.

This week we have had the opportunity to debate and improve the bill. We made some important changes, but it still lacks the balance I have advocated for the past several weeks. It is still my hope to support the bill at the end of the legislative process. Perhaps after action by the House of Representatives and a conference of the two Chambers, we will see the changes necessary to gain my support.

Chairwoman STABENOW has assured me on several occasions that my concerns will be addressed and I know she will keep her commitment. I would rather have dealt with the issues during the Senate debate, but that was not possible.

We must remember that the farm bill should help farmers and ranchers manage a combination of challenges—much out of their own control. We must also remember that the farm bill is not an entitlement for any one region or any one commodity. Policymakers must remember that the bill needs to serve all producers in all parts of the country equitably and effectively. To fail in this endeavor means we as legislators have failed to produce a bill worthy of the people we represent. I am proud of the work we did on the 2008 farm bill and its ability to provide a strong safety net program for producers. I am confident that the next farm bill will adhere and honor that same commitment we made 4 years ago.

While I could not support the bill in front of us, I look forward to working with my colleagues in the weeks and months ahead.

Mr. WYDEN. Mr. President, I am very pleased that the Senate today passed the Farm bill. This is bipartisan legislation that is critical to all Americans—from the farmers who grow our food, to the consumers who purchase that food, to the kids who get school lunches, and to the neediest in our Nation who deserve access to adequate nutrition. I especially want to commend Senator STABENOW and Senator ROBERTS for their yeoman bipartisan work to craft this important legislation.

As Senator STABENOW has so eloquently put it time and again, this bill is a jobs bill. One in every 12 American jobs is tied to agriculture and this legislation represents an opportunity to create more jobs.

In my home State of Oregon, agriculture is now more than a \$5 billion a year industry and it reflects a wide array of crops, mirroring the diversity in America’s agriculture.

As I like to say, Oregonians do a lot of thing well, but what we do best is

grow things and add value to those things. This bill has a lot in it to help Oregonians do that even better and in turn create more opportunities to sell those products better locally, nationally and abroad.

I was particularly pleased to have been successful in adding two amendments to the Farm bill. These are amendments to make it easier to provide healthier foods for children in schools and to help address the problem of hunger in our country.

One of my amendments would for the first time test out direct farm-to-school approaches to provide healthier foods for children in our schools. It will do this through a competitive pilot program with at least five farm-to-school demonstration projects in all regions in the country.

While there are currently some farm to school programs in place, it's a patchwork system and, according to the Agriculture Department's own Economic Research Service, "data and analysis of farm to school programs are scarce." This pilot program will fill in the information void about what works and what doesn't, and it will provide a way to improve and replace ineffective programs.

What is more, under these demonstration projects, innovative States and school districts will truly be able source fresh, high-quality local produce for our schoolchildren to enjoy. No more having to purchase far-away food from a Federal warehouse hundreds of miles away when there is healthy food just down the road.

Under my amendment, schools win. Farmers win. And most importantly, our children get to enjoy the delicious, local produce that they should be able to enjoy—every day—for breakfast, or for lunch, or for a snack. That is why the American Academy of Pediatrics the Nation's pediatricians supported my no cost farm-to-school amendment.

With the adoption of this amendment, it will be easier for delicious pears, cherries, and other healthy produce, grown just a few miles down the road, to make it into our schools.

Schools and school food authorities from all over the country with innovative ideas can now begin drawing up novel plans of action to purchase fresh, local produce for their kids.

New ideas will come forth, and the existing farm-to-school infrastructure will improve as new and better distribution models begin to emerge.

I am heartened that the farm-to-school movement has truly become national in scope, as more people recognize both the health and economic benefits that derive from these efforts. My amendment will make this movement not only bigger but better.

I thank Senator STABENOW and her staff for working with me on this amendment and helping me get this passed.

Fewer folks will be hungry thanks to the Senate's passage of my microloan for gleaners amendment.

These gleaners are mostly volunteers who collect food from grocery stores, restaurants, and farms—food that would otherwise be wasted—and distribute it to agencies or nonprofit organizations that feed it to the hungry.

These good Samaritans who save food from being tossed into landfills or burned in incinerators will finally be able to access the capital they deserve to expand and improve their operations.

At a time when food waste is the single largest category of waste in our local landfills—more than 34 million tons of food, even a portion of that wasted food could feed a lot of people. By redistributing food that would otherwise go to waste to the hungry—again, without spending extra taxpayer money—we can do more to ensure that this unwanted food is used to tackle hunger in America.

Instead of burning this food in incinerators, gleaners can help more people in need burn this food as calories.

This is just one more step in the right direction to help alleviate food insecurity in our country.

I again thank Senator STABENOW and her staff for their assistance in getting this amendment passed. It will provide real help to a group of selfless folks that are trying to bring some commonsense solutions to the hunger crisis.

As happy as I was to get the Farm Bill passed and get these amendments included, an opportunity to encourage healthier eating by recipients of SNAP benefits—what was previously known as food stamps—was unfortunately not able to come up for a vote.

This is disappointing. Not disappointing for me, but for the millions of SNAP beneficiaries, public health officials, and others who know we can do better to encourage healthier eating and increase consumption of healthy fruits and vegetables.

The existing waiver authority for SNAP is extremely restrictive and has resulted in a number of innovative State proposals being denied. It makes no sense to continue to stifle innovation and progress when it comes to incentivizing beneficiaries to eat healthier.

I will continue to push for ways to promote healthier eating through the SNAP program, given that it will improve public health, increase the consumption of healthy food, boost local farmers' incomes, and give taxpayers the confidence that their tax dollars are being spent on food that is really food.

I was also very disappointed that my amendment to legalize industrial hemp was also not granted a vote.

I firmly believe that American farmers should not be denied an opportunity to grow and sell a legitimate crop simply because it resembles an illegal one.

I fought for an amendment that would have recognized industrial hemp as a legitimate crop, but since doing so requires amending the Controlled Sub-

stances Act it was considered non-germane to the current debate and could not be brought up for a vote.

However, just my raising this issue has sparked a growing awareness of exactly how ridiculous the U.S.'s ban on industrial hemp is and I feel that important progress was made in advancing this dialogue.

I am confident that if grassroots support continues to grow and Members of Congress continue to hear from voters, then commonsense hemp legislation can move through Congress in the near future.

I plan to continue to keep fighting for this and hope to reintroduce this as a stand-alone bill.

I also want to raise concerns with language that was passed in the bill that amended the Healthy Forests Restoration Act. It is my hope that this issue will still be addressed in conference. I understand Senator BENNET made remarks expressing that same desire.

The language in the forestry title of the Farm bill amended an Act which I played a key role in helping pass originally in the Senate a decade ago.

As part of efforts to pass that legislation, which streamlined National Environmental Policy Act requirements, as well as appeals and judicial review, a carefully balanced compromise was reached. Environmental protections and clear limitations for appropriate places for the use of that authority were enacted as part of that legislation.

The language in the Farm Bill creates a sweeping new authority to use the Healthy Forest Restoration Act for areas potentially threatened with insect or disease infestations but fails to include any of the environmental protections or clear limitations in the original legislation. Additional, the way those areas that are threatened by insects and disease are defined is very broad.

I worked very hard with several of my colleagues to try to reach a compromise. It is my hope that given a little more time, we will be able to reach a compromise before a final Farm Bill becomes law.

I hope we will have a chance to perfect this language to address these concerns as the bill goes to conference.

Lastly, I want to touch the labeling of genetically modified foods.

I have always believed that consumers benefit from having more information about the food they consume, and that is why I supported an amendment offered by Senator SANDERS regarding the labeling of such foods. However, I continue to believe that the most realistic way to improve consumer information about genetically modified foods is to take a national approach and I will continue to work towards that goal. That is why I cosponsored Senator BEGICH's legislation to ensure that genetically modified fish are labeled.

In sum, I again want to reiterate my strong support for the Farm Bill passed

in the Senate and my great pleasure at having successfully gotten two amendments into this bill.

I raised several additional issues and it is my hope that there will be continued opportunities to address these issues going forward.

I yield the floor.

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

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 250, S. 1940, an original bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

Harry Reid, Tim Johnson, Al Franken, Patrick J. Leahy, Christopher A. Coons, Tom Harkin, Barbara A. Mikulski, Kent Conrad, Robert Menendez, Jack Reed, Barbara Boxer, Ben Nelson of Nebraska, Michael F. Bennet, Max Baucus, Mark Begich, Richard Blumenthal, Kay R. Hagan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1940, an original bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the insurance fund, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

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

The yeas and nays resulted—yeas 96, nays 2, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—96

Akaka	Carper	Franken
Alexander	Casey	Gillibrand
Ayotte	Chambliss	Graham
Barrasso	Coats	Grassley
Baucus	Coburn	Hagan
Begich	Cochran	Harkin
Bennet	Collins	Hatch
Bingaman	Conrad	Heller
Blumenthal	Coons	Hoeben
Blunt	Corker	Hutchinson
Boozman	Cornyn	Inhofe
Brown (MA)	Crapo	Inouye
Brown (OH)	DeMint	Isakson
Burr	Durbin	Johanns
Cantwell	Enzi	Johnson (SD)
Cardin	Feinstein	Johnson (WI)

Kerry	Merkley	Sessions
Klobuchar	Mikulski	Shaheen
Kohl	Moran	Shelby
Kyl	Murkowski	Snowe
Landrieu	Murray	Stabenow
Lautenberg	Nelson (NE)	Tester
Leahy	Nelson (FL)	Thune
Lee	Portman	Toomey
Levin	Reed	Udall (CO)
Lieberman	Reid	Udall (NM)
Lugar	Risch	Vitter
Manchin	Roberts	Warner
McCain	Rockefeller	Webb
McCaskill	Rubio	Whitehouse
McConnell	Sanders	Wicker
Menendez	Schumer	Wyden

NAYS—2

Paul

Pryor

NOT VOTING—2

Boxer

Kirk

The PRESIDING OFFICER. On this vote, the yeas are 96, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Louisiana.

CHANGE OF VOTE

Ms. LANDRIEU. Mr. President, I rise for a procedural request and a statement on the farm bill. On Rollcall Vote No. 153, yesterday, I voted "yes." It was my intention to vote "no." I therefore ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the amendment or the bill.

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

Ms. LANDRIEU. Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Ms. LANDRIEU. I had the Rollcall Vote number wrong. It is not Rollcall Vote No. 153. It is Rollcall Vote No. 143. I voted "yes." I would like to change my vote to "no." I ask unanimous consent that be the order.

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

Ms. LANDRIEU. Thank you Mr. President.

AGRICULTURE REFORM

Mr. President, I will be brief. I know other Members are on the floor who want to speak on other subjects.

First, I want to thank the Senator from Michigan and the Senator from Kansas for an extraordinary job on a very difficult bill, a very complicated bill—and difficult because it is not just a Republican-Democratic debate or a Democratic-Republican debate, it is a regional debate that has to take place, and there is a lot of give-and-take.

I have been proud to vote for every farm bill that has been before the Senate to my knowledge, but I voted "no" today, and I want to say why.

Despite the great work of Senator STABENOW and Senator ROBERTS, there was a weak part of this bill, in my view, related to rice farming, and it is such a significant and important part

of our farming structure in Louisiana that I cast a vote against the bill to send a signal that more work needs to be done.

This bill passed the Senate with an overwhelming vote. I voted for many of the amendments that I think helped to shape it to be even better than when it came out of committee.

We beat back several attacks to uproot, destroy, or significantly modify the U.S. Sugar Program, which has been very important to the State of Louisiana—one of the Nation's great sugar growers. As I have tried to explain to people who continue to attack this program, why would you want to end a program in this bill that does not cost the taxpayers a single dime?

There are no direct subsidies for sugar, as there are for all the other crops. The U.S. Sugar Program provides American consumers with low, stable sugar prices and ensures that our sugarcane and sugar beet growers receive a fair price for their crop.

I am happy to say that American growers of sugar can provide almost 85 percent of domestic demand. So why not use domestic sugar if we can supply our domestic demand? We only import what we need to import. We do not want to flood the market with cheap imports coming into America and undermining our jobs. I was proud to stand with our sugar industry and beat back those amendments.

Louisiana farmers and ranchers make a significant contribution to our State, generating over \$10.8 billion in economic activity alone. Agriculture—including fisheries and, of course, forestry—and energy are the backbone of Louisiana's economy.

This farm bill is an important bill. As I said, I was happy to vote for literally dozens of amendments that strengthened it. But I held out my final support, hoping that, as it travels to the House and goes through the conference process, the farm provisions related to our rice growers could be perfected.

People like to say the United States grows the cheapest, safest, and most abundant food, fiber, and energy supply in the world. They are right. The people in my State who do that day in and day out are proud. They have every reason to be proud because farming is more than a business, it is more than a job; it is a way of life. It is a way of life that is important and precious and should be honored. There are many families—cousins and aunts and uncles and fathers and mothers and children who are involved in farming. In Louisiana, in our forest lands, and along our coastal lands, these families follow a preferred way of life, even though it means hard work, long hours, high risks, and sometimes heart-breakingly limited returns.

So from sugar and rice in the south to cotton and poultry in the north, and all the areas in between, Louisiana needs a farm bill that supports all of