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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, June 15, 2012, at 10 a.m.

Senate

THURSDAY, JUNE 14, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, You are our God. Eagerly we seek You, longing to see Your strength and glory. Today, assure the Members of this body of Your love and give them unshakeable confidence in Your providential leading. Lord, teach them what they should think and do, as You illuminate their path so that they will not stumble. As You have led this Nation through troubled times in the past, be now to us our source of life and light and wisdom. Inspire us all so that we may know and do Your will.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

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

Mr. REID. I now move to proceed to Calendar No. 250, S. 1940.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 250, S. 1940, a bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, if any, the next hour will be divided and controlled between the two leaders. It will be equally divided. The majority will control the first half and the Republicans will control the final half.

We are still working on trying to finish an agreement to the farm bill so we can move forward. It is disappointing we don't already have something, but hope is still here, and I hope we can get that done. It is a very important piece of legislation, but a few Senators are holding this up and that is too bad. I have agreed we can have some amendments. I had a nice colloquy on the floor yesterday with Senator COBURN, who is concerned about this bill and legislation generally. He indicated that he thought it was a good idea to have a number of amendments and start voting on them, so I hope we can get there. We can't do all 250 amendments that are out there, but we can do a lot of them, so let's see where we are. I hope we can get it done.

We are on the flood insurance bill. We have to get to that. The flood insurance expires at the end of this month.

We will continue to work on an agreement with the farm bill.

I also hope to reconsider the failed cloture vote on the nomination of Mari Carmen Aponte, to be an ambassador to the Republic of El Salvador.

Votes are possible throughout today's session. Senators will be notified when they are scheduled.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the following hour will be equally divided and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. REID. I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EPA MERCURY RULE

Mr. WHITEHOUSE. Mr. President, last December, the Environmental Protection Agency finalized a rule called the Mercury Air Toxics Standard for powerplants. This rule is important, and it was long overdue.

Many Americans might not realize that before last December, there were no Federal standards for mercury or the other toxic air pollution pouring out of our Nation's powerplants. Thirty-two years ago, Congress directed EPA to limit toxic air pollution from all big polluting industries. In response, EPA set standards for nearly 100 industries across our Nation. However, until December, there were no such standards for the utility industry—the biggest source of mercury, arsenic, and other toxic air pollution in the country.

Now there are standards in place, estimated to provide $3 to $9 of health and economic benefits for every $1 invested in pollution controls. We should be celebrating this sensible yet significant public health achievement. Yet from the other side of the aisle we only hear about the $1 that the polluters have to spend to clean up. We never hear about the $3 to $9 the rest of the public saves as a result of the pollution being cleaned up.

We hear about the cost to the polluter all the time. We never hear about the cost, for example, of an asthma attack caused by soot and ozone. We never hear about the public health cost to all of us of the child having to go to the emergency room for an asthma attack. We never hear about the cost to the business of the mom who is not at work that day because she is off on a sick day taking care of that child in the emergency room or, if she is working on a regular wage, maybe it is on her. Maybe she does not get paid for that day because she is in the emergency room with her child. We never hear about that cost.

How about the simple cost of a mother stuck in an emergency room with a child having a pollution-provoked asthma attack, waiting anxiously—waiting for the nebulizer to kick in, waiting for that little oxygen meter on the child's finger to show that the oxygen levels are back where they should be? That is not even counted—the worry of a mom for her child having a pollution-caused asthma incident. We never hear about that. We never hear about the dollar side. All they talk about, all we hear about from them is the $1 the polluter has to pay to clean up their pollution—never, in this case, the $3 to $9; in other cases it is $35 to $1, over $100 to $1.

Instead, we have colleagues on the other side who want to halt this progress—notwithstanding the savings for virtually every American—with a resolution we are facing now that would void these new standards—standards that have just emerged after 32 years for the first time regulating toxic pollution out of utility plants. This resolution would not only void the new standard, but it would bar EPA from ever setting similar limits on powerplants in the future.

In speeches against these public health standards, one of my colleagues appears somewhat confused about the mercury air toxic standards. I wish to set the record straight on two points. One, this colleague has complained that the technology does not exist to meet these standards. That is the complaint: the technology does not exist to meet these standards. But if you look at the Clean Air Act, it directs the EPA—as EPA did—to set these standards based upon the performance of the top 12 percent in the industry—the actual performance of the top 12 percent in the industry. In other words, at least one out of every eight powerplant units must already be meeting each of the standards that is set. This is not a case in which the technology does not exist. This is a situation in which one out of every eight plants is already meeting it. The technology assuredly exists, demonstrably exists. What EPA is doing is leveling the field so that utilities do not get a competitive advantage by running dirtier powerplants than their fellow utilities.

This colleague has also complained that the rule establishes standards for toxic air pollution other than mercury. Well, limiting all toxic air pollution at once is more efficient for the utilities than tackling each pollutant separately. Frankly, if we are going at mercury once, and then later arsenic—and over and over the utilities had to go back and recalibrate—we would be hearing complaints that was the wrong way to do it. So if you do it all at once, they complain; if you do it separately, they would complain. The bottom line is, any time polluters are asked to clean up their act, some people are going to complain.

In section 112(d) of the Clean Air Act, Congress told the EPA that they shall establish emission standards for each category of major sources of the toxic air pollutants listed in section 112(c). Congress provided a list of 180 pollutants, which EPA used as the basis for the powerplant standards. You cannot fault EPA for that. Moreover, the staggering health benefits of this rule—4,700 fewer anticipated heart attacks, 130,000 fewer cases of child asthma symptoms, 5,700 fewer emergency room visits each year—flow from limiting all toxic air pollution from powerplants—not eliminating, limiting all toxic air pollution from powerplants rather than just mercury.

In pointing out that EPA correctly sought to limit all toxic air pollution from powerplants, I do not want to gloss over the importance of setting those Federal mercury standards. As I indicated earlier, powerplants are the largest source of airborne mercury pollution in the United States.

Mercury, as everybody knows, is a neurotoxin that can be most devastating to developing nervous systems. The reason we have the phrase ''mad as a hatter'' is because hatters used mercury in their work and it affected their brains. It is a neurotoxin. Exposure to mercury in utero, or as a child, can permanently reduce a person's ability to think and learn. For this reason, women of childbearing age, infants, and children must avoid mercury exposure.

What does this mean for Rhode Island? Many of you have heard me talk about the out-of-State air pollution that plagues my State. Most air pollution in Rhode Island is not generated from within our borders. It is sent from sources hundreds, even thousands of miles away. It is sent by powerplants out of State in significant measure.

On a clear summer day in Rhode Island, we will be commuting in to work, and we will hear on the drive-time radio: Today is a bad air day in Rhode Island. Infants, seniors, and people with respiratory difficulties should stay indoors today; otherwise, it is a beautiful day—a summer day when kids should be out playing. But if they have asthma, if they have a respiratory ailment, no, they are condemned to stay indoors—not because of anything that happened in Rhode Island but because of out-of-State pollution, mostly from these powerplants.

So the same sources that create those bad air days for Rhode Island—that force seniors and infants and children, people with respiratory difficulties to stay indoors on an otherwise fine summer day—also send us mercury pollution, which is why, although Rhode Island does not have a single coal-fired generating unit within its borders, our health department has to issue fish advisories.

If there is one emblematic image of American families doing something in the out-of-doors, it is the parent or grandparent taking their child—their son or their daughter—or their grandchild fishing. Norman Rockwell has captured this image. Many of us have similar images stored away in our childhood memories.

Yet today if a child goes fishing with her grandfather in Rhode Island, she cannot eat the fish she caught. The Rhode Island Department of Health warns that pregnant women, women thinking of becoming pregnant, and small children should not eat any

freshwater fish in Rhode Island. The health department also warns these populations not to eat some saltwater fish, such as shark and swordfish, because they have high levels of mercury stored in their fat. The health department suggests that no one in Rhode Island should eat more than one serving of freshwater fish—not just children, women who are pregnant, and women thinking of becoming pregnant—no one in Rhode Island should eat more than one serving of freshwater fish caught in our State each month in order to protect against mercury poisoning.

Finally, the health department warns that no one should ever eat any of the fish caught in three bodies of water in Rhode Island: The Quidnick Reservoir, Wincheck Pond, and Yawgoog Pond. For those of us who remember fishing as kids and eating what we caught, this is a sad state of affairs, and this is a state of affairs caused by polluters. This cost of a family not being able to go to Quidnick Reservoir, to Wincheck Pond to catch a fish, to take it home, to fry it up, to eat it—to do things that are as American as apple pie, in some respects—is because of the polluters.

Mrs. BOXER. Mr. President, will the Senator yield at this point for a question?

Mr. WHITEHOUSE. Of course.

Mrs. BOXER. First, I want to thank the Senator so much—so much—for taking to the floor today and explaining to everyone within the sound of his voice that we face a very important vote, because we have a colleague on the other side of the aisle who wants to say to the Environmental Protection Agency: Stop your work and allow polluters to continue to poison this atmosphere and those of us who live in it. You are talking about mercury. There is arsenic, there is lead, there is formaldehyde. We have to say to the utilities: Clean up your act. We are giving them enough time to do it.

I want to ask my friend a question, and then I will yield altogether to him. The question is, is my friend aware that the cost-benefit ratio of this rule that Senator INHOFE wants to now repeal is 9 to 1? In other words, for every $1 that we put in to make sure this pollution goes away or is controlled, there is $9 of benefits in health? Is my colleague aware of that?

Mr. WHITEHOUSE. First of all, let me thank my wonderful chairman of the Environment and Public Works Committee for joining me on the floor and asking me this question. The figure I have used—I have been more conservative—is in a range between $3 and $9. But there is a very significant payback. As I was pointing out, that payback actually counts in hard dollars to the public. It does not count things such as, as I mentioned in my speech, the worry of a mom spending the day in the emergency room waiting for her child's breathing to recover. It may take into account her or her employer's economic loss. It does not take into account her worry. It does not take into account the grandfather not being able to take the fish home from Yawgoog Pond because it is now poisonous because out-of-State polluters have dumped mercury into the atmosphere and into the pond for so long.

Those are real costs if you have a traditional American kind of family and people go fishing together and do things such as that. You cannot do that any longer. That does not even count in the equation. The polluters get to take that away from America for free in that equation.

But, as I said, what is interesting is that our friends on the other side only seem to think about, only seem to notice, only seem to talk about the $1 that the polluters have to pay to clean up their act. They do not talk about the folks who get the jobs repairing the pollution, building the scrubbers—the American jobs that creates. They just talk about their cost, and they do not talk at all about the cost on the other side—the health care costs, the job losses, the loss of education, the long-term health damage that people undertake.

SURFACE TRANSPORTATION

While the Senator is on the floor, let me tell my chairman how proud I am of the job she did yesterday on our highway bill. Getting out there with those big trucks and with the big, heavy paving equipment was a wonderful way of demonstrating to the public what has happened here, which is that the most important jobs bill the Senate has passed this year is being blocked by the House to eliminate or damage the summer construction season for highway work.

In my State, as I think I have told the Senator, we have more than 90 projects on the roster for this summer's highway construction season. Forty of them are falling off because of the delay from March until June that the Republicans already forced on us.

As the Senator has told me, they are trying to push for another delay that is going to knock more projects off, put more people out of work. Ours was a bipartisan bill. It could not have been better and more openly and transparently run by the Senator and her ranking member, Senator INHOFE.

There are 2.9 million jobs at stake. Everybody gets that our roads and highways need repair. Yet a group of Republicans in the House of Representatives will not agree to go forward. And time is running out on this summer's construction season.

Mrs. BOXER. Right.

Mr. WHITEHOUSE. They get the benefit of knocking down jobs in the runup to the election, which I think is a disgraceful way to go about the Nation's business. But we cannot move them. The irony and the tragedy here is, if Speaker BOEHNER would call up this bipartisan Senate transportation bill, it would pass.

Mrs. BOXER. That is right.

Mr. WHITEHOUSE. It would pass with Republican votes and Democratic votes, and we could put people back to work across this country right now, doing the work that every American knows our highway system needs. This is not bridges to nowhere. This is bridges that people drive across to get to work. This is potholes and highways and places like 95 that goes through Providence on a viaduct. It is falling in so much that they have put planks underneath it to keep the pieces that fall through from landing on the Amtrak trains and the car traffic underneath.

We need this work. We need these jobs. It is so disingenuous and so cynical to stop this work just because there is an election coming. What the Senator did yesterday to press on that was very important. I appreciate that.

I see Senator UDALL.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

WIND PTC

Mr. UDALL of Colorado. Mr. President, I rise again to continue the fight for our effort to extend the production tax credit for wind. I am going to continue to return to the floor every morning until we get the PTC extended.

It has a positive economic effect on each and every one of our States and we ought to immediately extend it. If we do not, there are tremendous risks because there will be uncertainty. There will be 37,000 jobs at risk, per the estimate of the American Wind Energy Association, in 2013, if we let this important, crucial tax credit expire.

On the other hand, looking at this prohibitively, a recent study by Navigant concludes that a stable tax policy would allow the wind industry to create and save 54,000 jobs. That is a clear choice. Do we want to lose 37,000 jobs or do we want to create and save 54,000 more?

Over the last number of years in tough economic times, the wind industry has been a bright spot. We have seen growth in the wind industry on the manufacturing side, and these are good-paying jobs. But we are at a make-or-break moment for wind energy. If we let the wind PTC expire, we will lose thousands of jobs and billions of dollars in investment.

We also run the real risk of losing our position in the global economic race for clean energy technology. Other countries are taking note. While we are dithering in the Congress, our foreign competitors are literally eating our lunch.

I am about to attend a hearing in the Energy Committee on our competitiveness in the clean energy sector. We are going to be discussing how China is outpacing us in the clean energy economy. The witnesses, I know, will emphasize—because I have seen their testimony—that we have to improve and maximize domestic manufacturing capacity or we risk losing these jobs to overseas competitors.

I wish to give an example this morning. In North Carolina, there is a company, PPG Industries. It is a fiberglass company, hundreds of employees. They have been threatened by foreign competition in the last few years. Fiberglass is a primary component of wind turbine blades. The company has found new buyers in the wind industry.

I wish to quote the manager, Cheryl Richards, of this factory. She has urged us to act. She said:

That's investment in the U.S. That's investment in jobs, in technology, in the future, in clean energy. If we're not doing it, there are people across the ocean who will. And they'll be happy to sell their products here.

So while we cannot get our act together in Congress to pass the wind PTC, our economic competitors in Europe and Asia have moved ahead. They have developed robust manufacturing capacity to serve both their domestic demands, and now they are beginning to sell all over the world.

To emphasize how real this threat is, I wish to show all of the viewers and my colleagues what has happened in the past when the PTC has expired. Look back in 2000. There was a 93-percent drop. There was a 73-percent drop from 2001 to 2002. It does not make sense. I hear this from Coloradans. I hear this from Americans.

Wind project developers in the United States and American manufacturers are not receiving orders. We could see another boom-and-bust cycle, where we get a 73-percent or 93-percent drop in installations. Our economy does not need that, especially right now. So there is a time for leadership. It is time to show the American people we can bridge partisan divides in the Congress, we can act, and we can take urgent action.

Let's get the wind PTC reauthorized as soon as possible. It is within our power to stop sending jobs overseas, to prevent falling behind major economies such as China, Germany, India, and to stop harming domestic industries and manufacturing.

Again, look at this chart. This tells the story. We have to stand and do the right thing. Let's start by passing the wind PTC extension now. We can do it today. I am going to continue coming back to the floor of the Senate until we get the wind PTC extended.

TRIBUTE TO TEJAL SHAH

As my time begins to expire, I wished to take a moment of personal privilege and note that Tejal Shah, who has been working in my office as a fellow from the State Department, is leaving my office this week. She is returning to the State Department to continue doing her work there.

I wish to thank her for the phenomenal support she has given me, for the knowledge and skill she has brought to my office. I wish her well in her efforts at the State Department.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Mexico is recognized.

UTILITY MACT

Mr. UDALL of New Mexico. Mr. President, I also, as my colleague Senator WHITEHOUSE did, wish to thank the chairman, BARBARA BOXER, for her hard work and her leadership to protect our air and our public health on this crucial vote that is going to come up later this month.

I rise in opposition to the resolution of disapproval that we expect Senator INHOFE to offer. This resolution would permanently block the EPA from reducing mercury and toxic pollution from powerplants in the United States. The standard is called the Maximum Achievable Control Technology standard or Utility MACT.

By blocking this standard, this resolution is bad for public health. This resolution is also bad for America's natural gas producers. This resolution is especially bad for electric utilities that did the right thing and followed the law. Environmental protection should be a bipartisan issue. Republicans and Democrats both passed the Clean Air Act, the Clean Water Act, and other environmental laws by wide margins.

I urge both parties not to support this resolution. Here are some key points on the public health issues that are before us when this resolution comes to the floor: The Environmental Protection Agency estimates this standard will save 4,000 to 11,000 lives per year by reducing toxic pollution. The EPA also estimates this standard will prevent nearly 5,000 heart attacks and 130,000 childhood asthma attacks.

Mercury is a powerful neurotoxin. It is mostly a threat to pregnant women and young children. We took lead out of gasoline, we can also take mercury out of smokestacks. Similar to many westerners, I know the Presiding Officer and I both enjoy fly fishing. In too many areas in America, we have mercury advisories for fish from American lakes and rivers.

In New Mexico, most of our streams are under mercury advisories, which means pregnant women and children cannot eat the fish from those streams. We cannot put a price on healthy children. But if we try, this rule produces tens of billions of health benefits each year.

This resolution of disapproval could permanently block these benefits. I would also like to talk about the impact of this resolution on natural gas. Natural gas has much lower toxic emissions than coal. It has no mercury. It has no soot, known as particulate matter. Recent discoveries of U.S. natural gas have led to a 100-year supply. Natural gas prices are low. While that is actually bad for New Mexico's economy in some places, it is good for consumers.

Natural gas has increased its market share in the power sector from 20 to 29 percent recently because it is a lower cost and cleaner fuel. EPA standards do not ban coal, but they do call on coal to compete on a level playing field and reduce its pollution. If we pass this resolution, we will inject further uncertainty into the utility sector, which is balancing its portfolio to more equal shares of coal and gas as opposed to being overly reliant on coal.

I support research in defining ways to clean up coal. If we put our minds to it, we may be able to take out the toxic pollutants.

I see the Senator from Arizona is on the floor. I first wish to thank him for allowing me a couple minutes to get my statement in.

I yield the floor.

Mr. MCCAIN. If the Senator from New Mexico desires a few extra minutes, I would be more than happy to yield.

Mr. UDALL of New Mexico. I thank the Senator. I will take 1 more minute to finish.

Finally, I would like to note that this resolution is a bailout of companies that would rather spend money on lobbying than on pollution controls. The EPA standard does not harm responsible coal companies. It is achievable with current technology. It is my understanding that most or all of the coal plants in New Mexico already have the technology to meet these standards. The Public Service Company of New Mexico has invested in mercury controls to reduce pollution in our State. Across the Nation, many other utilities have as well.

A variety of business groups support EPA's mercury standard, including the Clean Energy Group of utilities, the American Sustainable Business Council, and the Main Street Alliance. Those standards are required by the Clean Air Act. If we block them, we will punish the law abiders and bail out the procrastinators. I urge my colleagues to oppose the resolution of disapproval.

Once again, I thank Senator MCCAIN.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

FARM BILL AUTHORIZING

Mr. MCCAIN. Mr. President, I note the Presiding Officer was paying close attention to the Senator from New Mexico. I think that is entirely appropriate for that to happen. I am sure it certainly has nothing to do with family allegiance.

The Senate is considering the farm bill, which we do every 5 years. During

this debate, Americans will hear speeches about spending reductions and cuts to farm subsidies. I concede that there is some of that in this bill.

Unfortunately, so far we have failed to have an open and fair amendment process that should be the case in the Senate. I have several amendments I would like to have considered. Similar to my other colleagues, we have been prevented from doing so. I have been in this body for some years during the consideration of previous farm bills. I have always been able to have a couple amendments considered and voted on.

Unfortunately, that does not seem to be the case in the consideration of this farm bill.

It is very regrettable and unfortunate that we cannot just start voting on amendments and then see where we are. Instead, we have the filling of the tree and other language, and most Americans have no idea what we are talking about. But it does prevent this body from considering the amendments of Members on both sides of the aisle. It is unfortunate.

Also, the fact remains that the programs authorized under this farm bill consume a colossal sum of taxpayer dollars. It is over 1,000 pages and is estimated to cost $969 billion over 10 years. Again, that is $969 billion over 10 years. That is about $1 billion per page. It is a 60-percent increase from the previous farm bill, which was passed in 2008. While I believe it is necessary to assist low-income families with nutrition programs, we should keep farmers out of the red when a natural disaster strikes.

I am also mindful of the taxpayers who are saddled with a $1.5 trillion deficit and a ballooning $15 trillion national debt. The farm bill is certainly ripe for spending cuts. Some have taken place—not nearly as much are necessary. As usual, the farm bill, being 1,000 pages long, is filled with special deals for special interests.

I acknowledge that the Senate bill generates $23 billion in savings, and that is a notable accomplishment. We have finally done away with Depression-era farm subsidies such as ''direct payments'' and the ''countercyclical program,'' which encourages overproduction, thereby triggering more farm subsidies to compensate for depressed prices. Unfortunately, it seems that Congress's idea of farm bill reform is to eliminate one subsidy program only to invent a new one to take its place. Cutting direct and countercyclical payments actually saved the taxpayers about $50 billion, but rather than plug that money into deficit reduction this farm bill blows $35 billion of its own savings on several new subsidy programs.

For example, we have a new agricultural risk coverage subsidy program, or ARC, which works by locking in today's record-high crop prices and guaranteeing farmers up to an 89-percent return on their crop. ARC could cost taxpayers anywhere from $3 billion to $14 billion each year, depending on market conditions. We also create a new $3 billion cotton subsidy program called STAX, which the Brazilian Trade Representative has signaled will escalate their WTO antidumping complaint against the United States. I wonder how many of our taxpayers know that we already pay Brazil $150 million a year to keep our cotton programs. Why would we make things worse?

This bill authorizes the creation of a new marginal loss subsidy program for catfish. This bill maintains a $95 billion federally backed crop insurance program, which also subsidizes crop insurance premiums. We then pile on a new $4 billion program called supplemental coverage option, or SCO, that subsidizes crop insurance deductibles. Subsidized insurance, subsidized premiums, and subsidized deductibles—I am hard pressed to think of any other industry that operates with less risk at the expense of the American taxpayer.

This is all part of farm bill politics. In order to pass the farm bill, Congress must find a way to appease every special interest of every commodity association, from asparagus farmers to wheat growers. If you cut somebody's subsidy, you give them a grant. If you kill their grant, then you cover their insurance programs.

Let's look at several other handouts that special interests have reaped in this year's farm bill, which may account for the size of the bill.

The bill authorizes $15 million to establish a new grant program to ''improve'' the U.S. sheep industry. We are going to spend 15 million of your taxpayer dollars to improve the U.S. sheep industry.

The bill authorizes $10 million to establish a new USDA—Department of Agriculture—program to eradicate feral pigs. I have always been against pork spending, but now we are going to spend $10 million to establish a new USDA program to eradicate feral pigs.

The bill authorizes $25 million to study the health benefits of peas, lentils, and garbanzo beans—$25 million to study the health benefits of peas, lentils, and garbanzo beans. I know mothers all over America who have advocated for their children to eat their peas will be pleased to know there is a study that will cost them $25 million as to the health benefits of peas, lentils, and garbanzo beans.

It authorizes $200 million for the Value Added Grant Program, which gives grants to novelty producers such as small wineries and—I am not kidding—the occasional cheesemaker.

There is $40 million in grants from the U.S. Department of Agriculture to encourage private landowners to use their land for bird-watching or hunting. We are looking at a $1.5 trillion deficit this year, and we are going to spend $40 million to encourage private landowners to use their land for bird-watching or hunting. I am all for bird-watching, and I support hunters—not to the tune of $40 million.

The bill authorizes $700 million for the Agriculture and Food Research Initiative—$700 million. That funds a variety of research grants, such as testing pine tree growth in Florida or studying moth pheromones. I have no clue what a moth pheromone is. When did it become a national priority to study moth pheromones?

There is $250 million for the U.S. Department of Agriculture's Urban Forest Assistance Program, which spends Federal funds to plant trees in urban parks and city streets. There is a new program that spends $125 million to promote healthy food choices in schools. There are already at least four other healthy eating educational programs in this bill. There are already four, but we are going to add another $125 million program for another healthy eating educational program.

There is $200 million for one of my all-time favorites, the Market Access Program, which has been there for years, which subsidizes overseas advertising campaigns of large corporations. We have, of course, the infamous mohair wool subsidy, which has been fleecing the American people since 1954. When Congress passed the 1954 farm bill, they wanted to ensure a domestic supply of wool for military uniforms by paying farmers to raise, among other things, angora goats for mohair. This may have held merit then, but nobody can dispute that mohair became obsolete, thanks to synthetic fibers. Today we use mohair in custom socks, fashionable scarves, and trendy throw rugs. Some of my colleagues may recall that Congress killed off mohair subsidies in the 1990s. Unfortunately, goats are reputed to eat just about anything, and our hard-earned tax dollars are no exception.

By the time Congress passed the 2002 farm bill, mohair subsidies had been restored. The mohair program, which costs taxpayers about $1 million a year, may not be particularly expensive compared to most farm programs. I suppose where some of my colleagues see a minor government pittance for wool socks I see a disgraceful example of how special interests can embed themselves in a farm bill for generations.

As if field corn and ethanol subsidies weren't nefarious enough, this farm bill includes a new carve-out for popcorn subsidies—I am not making it up. This is a perfect example of farm bill politics. Thanks to a provision snuck into a 2003 appropriations bill, popcorn started receiving millions of dollars in ''direct payment'' subsidies. However, because the new farm bill eliminates direct payments, the popcorn industry is scrambling to be added to the newly created ARC Program. Under this farm bill, popcorn will be subsidized to the tune of $91 million over 10 years, according to CBO.

The cooking oil that movie theaters use to heat popcorn is already subsidized, as well as the butter they put on top. So popcorn is doing fine is the

truth of the matter. The price of popcorn has risen 40 percent in recent years, thanks in part to ethanol, and recent free-trade agreements with Colombia and South Korea are creating a boom for American popcorn exports. There isn't a kernel of evidence that they need this support from taxpayers.

The Sugar Program is another masterful scam. The USDA operates a complex system of important tariffs, loans, and government production quotas that restrict sugar imports and keeps sugar prices artificially high. The sugar barons will tell us that the Department of Agriculture Sugar Program operates at ''no net cost'' to the American taxpayers because sugar didn't receive ''direct payments.''

In actuality, businesses and consumers bear the burden of the Sugar Program by paying higher costs for any sweetened product. Every year, American consumers are forced to pay an extra $3.5 billion on sweetened food products.

Just yesterday, the Senate voted to table an amendment to phase out the Sugar Program, which is quite a sweetheart deal for sugar growers.

Finally, one of my favorites of all time is regarding catfish. I have an amendment that will repeal the farm bill provision that directs the USDA to create a new catfish inspection office. I am grateful for the support of my colleagues who cosponsored it. What we are attempting to do with this amendment is simple: It puts an end to the latest attempt by southern catfish farmers to restrict catfish imports.

Five years ago, a protectionist provision was snuck into the 2008 farm bill that requires the Department of Agriculture to begin inspecting catfish. As my colleagues know, the USDA inspects meat, eggs, and poultry but not seafood. That is a whole new government office. It is being developed at USDA just to inspect catfish. Catfish farmers have tried to argue that we need a catfish inspection office to ensure Americans are eating safe and healthy catfish.

I wholeheartedly agree that catfish should be safe for consumers. The problem is that FDA already inspects catfish, just as it does all seafood, screening it for biological and chemical hazards. If there were legitimate food safety reasons for having USDA inspect catfish, we would not be having this discussion. Don't take my word for it, just ask USDA.

When the Department of Agriculture completed an internal assessment for the program in December 2010, the Department said it could not establish a ''rational relationship'' between the catfish office and the risks to human health, concluding, ''There is substantial uncertainty regarding the effectiveness of the catfish inspection program.'' The Department of Agriculture estimates that this questionable program will come at a cost to taxpayers of $30 million just to create the office and another $14 million each year thereafter.

GAO has also extensively examined the catfish office. In February 2011, GAO released a report saying the catfish office is at ''high risk'' for fraud, waste, and abuse, and it is ''duplicative'' of FDA's functions and would fragment our food safety system. Just last week GAO issued a new report, titled ''Responsibility For Inspecting Catfish Should Not Be Assigned to USDA,'' and they called upon Congress to repeal the catfish office.

This isn't the first time consumers have been hoodwinked by southern catfish farmers. When the Senate considered the 2002 farm bill, they slipped in an obscure provision that made it illegal to label Vietnamese catfish as ''catfish'' in the United States. At that time, the State Department had recently reopened trade relations with Vietnam, and domestic catfish farmers in Southern States found themselves competing against cheaper catfish imports. Domestic catfish farmers wanted to discourage American consumers from buying Vietnamese catfish by marketing it under the Latin name ''pangasius,'' or ''panga,'' even though it is virtually indistinguishable from U.S.-grown catfish.

Although the panga labeling law was enacted, it ultimately backfired on catfish farmers because panga catfish remained popular with American consumers. It is a senseless law, and my colleagues may recall that I came to the floor to fight against it. I asked the question: ''When is a catfish not a catfish?'' Why would Congress pass a law that renames a species of catfish into something else? Why single out catfish and put it in the same category as USDA-inspected beef. Ironically, catfish farmers are lobbying USDA to relabel Vietnamese ''panga'' back to ''catfish'' to ensure Asian imports are subject to this new catfish office.

So the catfish office offers no legitimate food safety benefit. Its true goal is to erect trade barriers on Asian catfish imports to prop up the domestic catfish industry and make American consumers pay more.

The farm bill before us has some laudable parts to it. There are some reductions in spending. When we examine the bill, however, we find more and more of this kind of special interest, unnecessary spending, and programs that either are protectionist in nature or programs that have been inserted sometimes in the middle of the night in the past. We have also just begun to examine a number of provisions in this bill, which I did not discuss today.

I wish the small business men and women in my State had a bill for small business, a bill that would help them in the very difficult times they are experiencing, in the terrible economic times which have caused them to not be in business anymore so that they and their families are going through the most difficult of times. This is obviously a well-intentioned bill, but I also think in these harsh economic times it is far from the kind of legislation we owe the American people.

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

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

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRESERVING WATERS OF THE USA ACT

Mr. HELLER. Mr. President, I rise today to discuss one of the biggest threats to economic growth in this country, and that is this administration's job-killing regulatory agenda.

My goal in the Senate is to promote policies that create jobs. With my home State of Nevada leading the Nation in unemployment, I do not believe the private sector is doing just fine, and I support commonsense policies that give our job creators the necessary tools to provide for long-term economic growth.

Under the current administration, they seem bent upon issuing regulation after regulation that threatens existing jobs and preventing new ones from being created. As I have stated before, you cannot be projobs and antibusiness at the same time.

With unemployment at 11.7 percent in Nevada—and it continues to lead the Nation in unemployment—the only things as scarce as jobs in Nevada are private property and water. Roughly 87 percent of Nevada is controlled by the Federal Government, and the remaining 13 percent is heavily regulated by the Federal Government also. Nevada is also one of the driest States in the Nation. Because of this, water is a very precious commodity.

As we debate the farm bill, I am proud to join with some of my colleagues in their efforts to provide some much needed regulatory relief for American farmers in rural America. However, the latest efforts by this administration go well beyond the agricultural sector.

For years there has been a concerted effort to expand the regulatory reach over water in this country. After years of failed attempts to legislatively change the scope of regulatory authority over water, the EPA is now trying to overturn both congressional intent and multiple Supreme Court decisions to further their goal of overregulation.

To put it into context, if this regulation were enacted, it would give the EPA and the Army Corps of Engineers the ability to regulate irrigation ditches, large mud puddles, or anything that contains standing water, regardless of whether it is permanent, seasonal, or manmade. Never before under the Clean Water Act have Federal regulations extended this far. This was not the intent of Congress when writing the Clean Water Act, and Congress has repeatedly rejected any legislative effort to alter the existing law.

More disturbing, the administration has bypassed public outreach and has

neglected to consider the economic impact of their proposed action. This is in addition to ignoring the fact that the Supreme Court twice affirmed the limits of the Federal authority under the Clean Water Act. But apparently the EPA believes it does not have to adhere to laws of the land.

Expanding the Federal regulatory overreach into water also infringes on private property rights. It stops investments and development and infrastructure projects, including housing, schools, hospitals, roads, highways, agriculture, and energy. In my home State, this regulation will hurt farming, ranching, mining, and construction—the same middle-class, blue-collar jobs this administration claims to care about.

In an already struggling economy, we cannot afford to create additional regulatory barriers that will cost jobs and prevent future economic growth. That is why Senators BARRASSO, INHOFE, SESSIONS, and I have offered an amendment to the farm bill, as well as a stand-alone piece of legislation that would preserve the current definition of waters of the United States. The Preserve the Waters of the United States Act is simply straightforward legislation that would preserve the current definition of Federal waters as well as uphold private property rights.

Opposition to this legislation has been disingenuous. It is ridiculous to assert that supporters of this important legislation are opposed to clean water. What I am opposed to is the Federal Government continuing its overreach and further hurting our economy and jeopardizing personal property rights and States rights. I am opposed to giving Washington bureaucrats the authority to regulate your backyard. And I am opposed to this administration using a closed-door process to issue job-killing regulations that have become far too common.

I had hoped for a vote on this amendment that will allow the Senate to make a clear choice between jobs and an extreme environmental agenda. Unfortunately, the amendment process has once again broken down, and we will not have the ability to openly debate this important issue.

I encourage my colleagues to support the Preserve the Waters of the United States Act and show their constituents that they stand with job creators. There is a vast and diverse coalition of support for our efforts to limit the Federal Government's overreach. It includes local governments, municipalities, manufacturers, small businesses, and many more.

As an outdoorsman, I am committed to good stewardship of our natural resources and believe that we do not have to choose between a healthy environment and economic prosperity. The Preserve the Waters of the United States Act is a commonsense solution that will prevent jobs from being destroyed and keep private property rights from being further eroded by this Federal Government. I respectfully urge all of my colleagues to support this legislation and bring it to a vote.

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

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

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FARM BILL AMENDMENTS

Mr. SANDERS. Mr. President, I will be speaking about two amendments that I intend to offer as part of the farm bill. I think both amendments are extremely important, and both amendments have the support of the vast majority of the people of our country. They may not have the support of powerful special interests, but I think that from Maine to California, people will be supporting these amendments.

The first one is amendment No. 2310, which is cosponsored by Senator BARBARA BOXER of California.

All across our country, people are becoming more and more conscious about the foods they are eating and the foods they are serving to their kids, and this is certainly true for genetically engineered foods. This is a major concern in my State of Vermont, I know it is a major concern in Senator BOXER's State of California, and it is a major concern all over our country.

This year in my State of Vermont, our legislature tried to pass a bill that would have required foods that contain genetically engineered ingredients to have that information on their labels. That information would simply give consumers in the State of Vermont the knowledge about the ingredients that are in the food they are ingesting—not, I believe, a terribly radical idea.

I personally believe, and I think most Americans believe, that when a mother goes to the store and purchases food for her child, she has the right to know what she is feeding her child, what is in the food she is giving to her kids and her family. This concern about genetically engineered labeling brought out a huge turnout to the Vermont State legislature of people who were supportive of this concept. In fact, it was one of the most hotly debated and discussed issues in our legislature this year. Over 100 Vermonters testified at a committee meeting—the Committee on Agriculture meeting of the State of Vermont—in favor of this legislation. We are a small State. Hundreds more crowded in the statehouse to show their support.

What people in Vermont, and I believe all over this country, are saying, simply and straightforwardly, is: We want to know what is in the food we are eating and whether that food is genetically engineered. Clearly, this is not just a Vermont issue. Almost 1 million people in the State of California signed a petition to get labeling of genetically engineered food on the November ballot. In California, a big State, 1 million people is a lot of people. In other words, what we are seeing from Vermont and California and all over this country is people want to know what is in the food they are eating and they want to know whether that food is genetically engineered. I thank Senator BOXER of California for representing the people of her State in cosponsoring this legislation.

This is not just a Vermont issue. It is not just a California issue. According to an MSNBC poll in February of 2011, 95 percent of Americans agree that labeling of food with genetically engineered ingredients should be allowed. Those polling numbers have been consistently over 90 percent dating back to 2001.

What we are seeing in polling, year after year, is people want to know what is in the food they are eating. Not everybody agrees. Monsanto, one of the world's largest producers of genetically engineered food, does not like this idea. Monsanto is also the world's largest producer of the herbicide Roundup, as well as so-called Roundup Ready seeds that have been genetically engineered to resist the pesticide. It is no mystery why Monsanto would fight people's right to know. Business is booming for this huge chemical company. It raked in over $11 billion in revenues and cleared $1.6 billion in profits in 2011. This year is going pretty well for Monsanto.

Once it seemed possible that Vermont could pass the bill. That is because the people of the State of Vermont want to see that legislation passed. But our friends at Monsanto threatened to sue the State if that bill was passed. Sadly—and this is what goes on in politics, not just on this issue but on so many issues—despite passing out of the House Committee on Agriculture by a vote of 9 to 1, the bill did not make it any further because of the fear of a lawsuit from this huge, multinational corporation.

Today, we have an opportunity, with the Sanders-Boxer amendment, amendment No. 2310, to affirm States rights to label food that contains genetically engineered ingredients. This amendment recognizes that the 10th amendment to the U.S. Constitution clearly reserves powers in our system of federalism to the States and to the people. In other words, that is what federalism is about. This amendment acknowledges that States have the right to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered. Simply put, this amendment gives people the right to know. It says that a State, if its legislature so chooses, may require that any food or beverage containing a genetically engineered ingredient offered for sale in that State have a label that makes that information public and clear.

It also requires that the Commissioner of the FDA, with the Secretary of Agriculture, shall report to Congress within 2 years on the percentage of food and beverages in the United States that contain genetically engineered ingredients.

There are strong precedents for labeling. The FDA, as everybody knows, already requires the labeling of over 3,000 ingredients, additives, and processes. If we want to know if our food contains gluten, aspartame, high-fructose corn syrup, trans fats or MSG, we simply read the ingredients label. Similarly, the FDA requires labeling for major food allergens such as peanuts, wheat, shellfish, and others. But Americans, for some reason, are not afforded that same information when it comes to genetically engineered foods.

Here is a very important point to make. What I am asking now, for the people of America, is something that exists right now all over the world. Genetically engineered foods are already required to be labeled in 49 countries around the world, including Russia, the United Kingdom, Australia, South Korea, Japan, Brazil, China, New Zealand, and others, and the entire European Union allows its countries to require such labels, which is essentially what this amendment is about. It is not telling, but it is allowing States the right to go forward, if that is what the people of those States want.

If this is good for 49 or more countries around the world, why is it not acceptable in the United States of America? The answer is pretty simple. We have a large, powerful, multinational corporation that is more concerned about their own profits than they are about allowing the American people to know what is in the food they are eating.

Let me clarify just a few pieces of information regarding genetically engineered foods. Monsanto claims there is nothing to be concerned about with genetically engineered foods. In the 1990s, there was a consensus among scientists and doctors at the FDA that GE foods could have new and different risks, such as hidden allergens, increased plant toxin levels, and the potential to hasten the spread of antibiotic-resistant disease, but those concerns were quickly pushed aside in the name of biotechnology progress. Their concerns were not, however, unfounded.

In May 2012, a landmark independent study by Canadian doctors published in the peer-reviewed journal Reproductive Toxicology found that toxins from soil bacterium which had been engineered into Bt corn to kill pests was present in the bloodstream of 93 percent of pregnant women as well as in 80 percent of their fetal cord blood. In the wake of this study, action is being taken. In 3 days, on June 17, the American Medical Association will consider resolutions that ask for studies on the impacts of GE foods and labeling. Resolutions calling for labeling of GE foods have already been passed by the American Public Health Association and the American Nurses Association.

There is a great need for this information because there have never been mandatory human clinical trials of genetically engineered crops—no tests for the possibility of it causing cancer or for harm to fetuses, no long-term testing for human health risks, no requirement for long-term testing on animals, and only limited allergy testing. What this means is that for all intents and purposes, the long-term health study on GE food is being done on the American people. We are the clinical test.

Let me clarify just a few things about labeling genetically engineered food. GE food labels will not increase costs to shoppers. Everybody knows companies change their labels all the time. They market their products differently and adding a label does not change this. In fact, many products already voluntarily label their food as ''GMO free.'' Further, genetically engineered crops are not better for the environment. For example, the use of Monsanto Roundup Ready soybeans engineered to withstand the exposure to the herbicide Roundup has caused the spread of Roundup-resistant weeds which now infest 10 million acres in 22 States, with predictions of 40 million acres or more by mid-decade. Resistant weeds increase the use of herbicides and the use of older and more toxic herbicides.

Further, there are no international agreements that prohibit the mandatory identification of foods produced through genetic engineering. But as I mentioned, 49 other countries already require it.

The Sanders-Boxer consumers right to know about genetically engineered food amendment, amendment No. 2310, is about allowing States to honor the wishes of their residents and allowing consumers to know what they are eating. If this is not a conservative amendment, I do not know what is. Americans deserve the right to know what they and their children are eating and that is what this amendment is all about. Monsanto and other major corporations should not be the ones to decide this issue. The Congress and the American people should make that decision. Without commonsense labeling requirements, the 295 million American citizens who favor labeling, the overwhelming majority of Americans who in poll after poll said yes, want to know whether the food they are eating contains genetically engineered products. They are not being listened to. On behalf of the American people who want to know what is in their food, I urge support for this important amendment.

I have another amendment, but I will come back at another time to talk about the amendment, which will demand that the Commodity Futures Trading Commission do what the law requires of them; that is, end excessive speculation in the oil futures market, but I will hold off on that until a later time.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from New Jersey is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MENENDEZ. Mr. President, I ask unanimous consent that at 12 noon today, the Senate proceed to executive session and that the motion to proceed to the motion to reconsider the cloture vote by which cloture was not invoked on Executive Calendar No. 501 be agreed to, the motion to reconsider be agreed to, and that there be 30 minutes for debate equally divided in the usual form; and that following the use or yielding back of time, the Senate proceed to vote on cloture on the nomination, upon reconsideration.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. The Senator from Michigan.

AGRICULTURE PRODUCTION

Ms. STABENOW. Mr. President, I want to spend a few moments talking about one of our job-creating titles in the farm bill, but first I want to thank colleagues who are continuing to work on this bill. As we continue to do the business of the Senate, they are working through the amendment process and coming together with what I am optimistic will be an agreement for us to be able to move forward so we can complete our task on the farm bill.

I thank the ranking member of the committee, Senator ROBERTS, for his leadership and his staff and my staff for working so hard together. There has been a lot of coffee involved for folks to be able to stay awake on some late nights right now. They are doing a great job, and we are very optimistic as we move forward in this process.

One of the reasons we need to get this done, as I have stressed many times but it bears repeating, is this is a jobs bill. As the distinguished Presiding Officer from Ohio knows—as well as myself, coming from Michigan—jobs are a big deal. Jobs are a big deal across the country, but we have been in the middle of it in terms of the recession. We are now seeing optimism because we are recommitting ourselves to making things and growing things in this country.

We make a lot of great things in Michigan, not the least of which is automobiles, but a lot of other things also. I know Ohio, as well, is a great State for making things. Both of our States are also States where we grow things, and I appreciate the leadership of the Presiding Officer who is on our Agriculture Committee and has played a very significant role in getting us to

this point. The distinguished Presiding Officer, Senator BROWN, has helped with major reforms in this bill. He has put forward a bipartisan proposal that relates to moving a risk-based system to support our farmers. I appreciate very much the Senator's leadership on that as well as a number of other things.

But this is about growing things. Almost one out of four people in Michigan has a job because we grow things. We have more diversity of crops than any State, with the exception of California, and so that means every page of the farm bill matters to Michigan, which is why over the years I have paid attention to every single page of the farm bill.

Overall in our country 16 million people work because of agriculture. They may be involved in production, they may be involved in packaging, they may be involved in processing, they may make the farm equipment, or they may be involved in a variety of things, but they work because we grow things in America. Our one area of huge trade surplus, and where we have grown in the last 2 years by 270 percent, is in agriculture. We are creating jobs here and exporting, and so this is a jobs bill.

I want to talk specifically about a very important piece where we bring together making things and growing things in our economy, and that is the energy title of the farm bill. The energy title reflects the important work being done by America's farmers, ranchers, forest managers, and rural small businesses to help improve our energy security.

Since we added this title in the 2002 farm bill—I was pleased to be a strong supporter in doing that—the Rural Energy for America Program has helped put in place nearly 8,000 projects and jobs that have helped farmers lower their energy bills and actually produce electricity that goes back to the electric grid. In the last 10 years, we have seen incredible advances in advanced biofuels and biobased manufacturing, which is the ultimate way to bring together making things and growing things, both of which are supported and strengthened in this bill.

The farm bill is also an energy bill and it is a jobs bill. There are more than 3,000 companies doing innovative, biobased manufacturing, and using agricultural products instead of petroleum to manufacture finished products. Those companies have already created over 100,000 jobs and are growing every day. Many of these businesses are in rural communities, and supporting those businesses is one of the best ways we can create jobs and economic growth in small towns all across our country.

This kind of manufacturing is also a win-win for the farmers. They get new markets for their products and, in some cases, markets for their waste products.

We have also seen tremendous growth in biofuels. This farm bill shifts our focus to the next generation of advanced biofuels, such as cellulosic ethanol, to continue lowering prices for families at the pump. According to a study by the University of Wisconsin and the University of Iowa, ethanol has already helped keep gas prices more than $1 lower than they otherwise would be. It is the only competition we have at the moment at the pump. As a consumer, what we need is more choice and more competition so that depending on foreign oil is not the only choice.

Many of our colleagues have different feelings about our energy policies, and the great thing about the farm bill is that it doesn't matter what we believe or where we come from, it is a winner because it creates choices. If we want to reduce greenhouse gas pollution, this bill is a winner. If we want to make America more energy independent so we are not relying so much on foreign oil, this bill is a winner. If we want farmers to pay lower energy bills so they have more money to hire workers and improve their business, this bill is a winner. And if we want Americans to pay lower prices at the gas pump, as we all do, this bill is a winner for every American.

I especially want to thank Senators CONRAD, LUGAR, HARKIN, BEN NELSON, BENNET, BROWN, KLOBUCHAR, THUNE, CASEY, and HOEVEN, who worked very hard at putting together the energy title and the necessary funding to continue supporting these innovative farmers and businesses all across our country. I appreciate their leadership in working with us and being able to get this done.

I want to talk about some of the specific areas we have in the energy title. There is something called the Rural Energy for America Program, also known as REAP. It is one of the most successful programs in the energy title, and one we hear about most often from farmers and ranchers across the country.

This program helps farmers with loan guarantees and grants to purchase and install renewable energy systems and make energy efficiency upgrades. Farmers have been able to put solar panels, wind turbines, as well as biomass energy and geothermal and hydroelectric and other forms of renewable energy technology on the farm. Since 2003, REAP has supported 7,997 different energy-efficient projects that have generated or saved 6.5 million megawatt hours, which is enough power to meet the annual needs of nearly 600,000 households.

As a caveat, I also want to say that when we talk about all of these alternatives, I also see this from the standpoint of making things. When we look at a big wind turbine, a lot of folks see energy use. I see 8,000 parts. We can make every one of them in Michigan and probably an awful lot of them in Ohio. So when we talk about creating energy efficiency opportunities, we are also talking about creating manufacturing jobs in the process. REAP is a big success story, which is why we continued the program and streamlined the application process for farmers and small businesses applying for small and medium-sized projects.

Each project funded by REAP can make a significant impact, as I said, on utility costs incurred by the businesses. For example, one company in Georgia created an on-farm solar system that will produce about 60,000 kilowatt hours per year to lower the company's power bills. Another Kentucky company used an energy efficiency grant to improve lighting and support a refrigeration/freezer project that would give them 63 percent energy savings—63 percent. That is a pretty big deal when we are paying the bills.

The next part I want to talk about is something called biobased markets and part of a larger biobased manufacturing effort that I am very enthused about. Biobased manufacturing is rapidly becoming a critical component of our new economy. According to USDA, there are 3,118 registered biobased companies in the United States that have so far created about 100,000 jobs, and growing. With customers demanding more choices, oil prices rising, these innovative companies are taking new approaches, turning agricultural products into manufactured products. So as we can see, all across the country there are 3,000 companies. This is a huge area that is growing, the innovation process, where we are literally taking agricultural products and replacing chemicals, replacing petroleum and plastics, and doing a variety of things that allow us to create new markets for farmers, get us off of foreign oil, and create jobs. I would argue that in the next 5 years we will see many, many, many more dots on this map as a result of the farm bill and private sector efforts that are going on across the country.

In the 2008 farm bill, we created the biobased program to develop and expand markets for these biobased products. Here are a few examples: Papermate makes a biodegradable, retractable grip pen manufactured by Sanford Newell Rubbermaid in Georgia. This pen is made from biodegradable components that include an exclusive corn-based material to produce less waste and more compost.

Purell Advanced Green Certified Instant Hand Sanitizer is a green-certified product made by a company in Ohio, containing ingredients from renewable resources. It kills more than 99.9 percent of most germs. It is a product that is biodegradable.

Greenware Cold Portion Cups made by Fabri-Kal Corporation in Michigan are made from materials such as plant-based and post-consumer recycled resins. My colleagues will note that this looks familiar because it is the same kind of cup we use in the Senate. This is something we are using and thereby supporting the biobased economy.

By including biobased manufacturing in the Biorefinery Assistance Program

within the energy title, we are expanding economic opportunities for farmers by giving them new markets for crops to grow and we are supporting cutting-edge manufacturing businesses that are making these products and creating these jobs.

We also have done other pieces that will strengthen this effort. I might mention, though we don't have a picture of it with us on a chart, one of the exciting things I am seeing in Michigan, as we bring together making things and growing things, is the extent to which our automakers are using biobased products in the making of automobiles. So for anyone who is buying a new Ford vehicle today—I sound like an advertisement—but a new Ford vehicle or a great new Chevy Volt or a number of new great American-made vehicles we have today, we are sitting on seats made from soy-based foam. We have soybean in the seats. Soy-based foam was actually started over 80 years ago with Henry Ford and has been something we have focused on, on and off, for 80 years. But now it has become a major effort. A major company in Michigan called Lear is making these seats. They are biodegradable. They are lightweight. We get better fuel economy. And as I often tell my friends, if you get hungry, you get something to munch on.

So the truth is we are seeing huge advances. One may very well have cupholders in their car that have a corn-based or wheat-based or other kind of agricultural-based product in the plastic, rather than petroleum—another way to get off of foreign oil. They are experimenting with tires, rather than using petroleum in tires. I think there is an explosion here of opportunity for innovation with our farmers and our manufacturers, with our universities, our scientists. It is very exciting, and it is part of the next generation for us of a new economy and new jobs. This farm bill strengthens that effort, working with the private sector, to help us rapidly move forward on jobs.

One of the other ways we support efforts to create and then the commercialization of products, to be able to move forward as it relates to creating, producing more products and so on, is to give consumers a way to find these products. So we have something called the USDA Certified Biobased Product label.

The mission of the BioPreferred Program is to develop and expand markets for biobased products through preferred Federal purchases of biobased products across the Federal Government and a voluntary labeling program to raise consumers' awareness and to help make sure we know that what we are buying is, in fact, a biobased product. Since the program was created in the last farm bill in 2008, there are now 64 different categories of biobased products and almost 9,000 products—9,000 products—approved for preferred Federal purchases. It is in everybody's best interests for us to be encouraging these new markets, encouraging innovation, and at the same time addressing other critical needs for our country, including getting off of foreign oil. In addition, another 430 products from 150 companies have been certified to carry the USDA Certified Biobased Product label. So this is important. And there are new efforts happening. The President, the Secretary of Agriculture, and I have come together to urge, in fact, that we increase the amount of biobased labeling that is going on and make sure that consumers are looking for this label.

We then have the Biorefinery Assistance Program which is a very important piece of all of this. The Biorefinery Assistance Program was originally created in the 2002 farm bill to support the development and construction of demonstration-scale biorefineries to determine the commercial viability of some of the processes that are involved in converting renewable biomass to advanced biofuels. It also guarantees loans for companies that are developing, constructing, or retrofitting commercial-scale biorefineries using these new technologies. In the last 2 years, companies participating in this effort have created nearly 300 direct jobs, and it is estimated that as this program is written into the 2012 farm bill, it will help these innovative businesses hire another 450 people as well.

We also expand eligibility for the program to include biobased manufacturing. This is a very important piece of this bill. We are now going from refineries, talking about advanced biofuels, to expanding the opportunity for tools for our biobased manufacturers within the rubric of the energy title and the focus on jobs.

We are talking about loan guarantees for companies to leverage private dollars. So for just over $400 million in loan guarantees, we have leveraged $1.5 billion in private dollars to help companies with the cost of retrofitting and building new commercial biofuels plants. When operational, these facilities are expected to produce 113 million gallons of advanced biofuels and generate almost 25 million kilowatt hours of renewable energy, and reduce greenhouse gas emissions by an estimated 600,000 metric tons of carbon dioxide which, by the way, is the equivalent of taking 11,000 cars off the road. I have a little bit of a mixed feeling about that. Actually, we would much prefer to do it this way and keep great new advanced vehicles on the road.

In 2011, the USDA awarded $6.9 million in grants and $13.1 million in loan guarantees to 17 anaerobic digester projects—here we are talking about waste on the farm and turning it into energy—which will create enough energy to power 10,000 homes.

There are so many opportunities for us, whether it is animal waste, food waste. We have a facility in Michigan that will be opening in the fall that is up by Gerber Baby Food. We are the international home of Gerber Baby Food in Fremont, MI. There is a new biobased facility opening that will use all the food waste to generate energy—electricity—for the northwestern area of Michigan. There are so many opportunities for us right now, using, again, food waste, byproducts from agriculture, and so on, where we can blend those together and create jobs and get us off of foreign oil.

The Biorefinery Assistance Program has helped build seven first-of-their-kind biorefineries to produce advanced biofuels in States from Florida to Oregon, Michigan to New Mexico. One of the companies, called INEOS New Plant Bioenergy, has just begun commissioning their plant in Indian River County, FL, which will use citrus and other municipal solid waste to produce 8 million gallons of cellulosic ethanol every year and 6 megawatts of renewable electricity. They have over 100 people working on the job, completing this first-of-a-kind plant, using 85 percent U.S.-manufactured equipment, by the way, for the facility.

There is so much. I could spend a long time going through all of the exciting efforts going on, literally from the east coast to the west coast, North and South, where creative entrepreneurs are coming forward, with support from the USDA to be able to get them through what is often called the valley of death, as they have a great idea but are trying to get it to commercialization, and efforts that are leveraging private dollars and public dollars to be able to have these companies move forward into full commercialization. Then they can create jobs, create renewable energy, get us off of foreign oil or create other kinds of products—all kinds of opportunities for us around products.

That leads me to another important piece, which is R&D, which is always a very important part of what needs to be done as we are looking at these new ideas. Entrepreneurs, companies large and small, many small businesses—in fact, most of them start as small businesses with a great idea, and they are looking for how to turn that into a great business, and hiring people, and so on. The Biomass Research and Development Initiative is an integral component to bridging the gap between technology development and commercialization. As I said, this is often called the valley of death. If you are somebody out there who is an entrepreneur with a great idea, how do you actually convince somebody to invest in it so you can move forward? Nearly $133 million in grants was provided through the research and development effort from 2003 to 2010 and they helped leverage $61 million in private investment.

One of the great success stories among many comes out of Wisconsin. We heard about this during one of our farm bill hearings when Lee Edwards, CEO of Virent Energy, came in to tell us about the great work his company is doing. They were awarded a grant as

seed money to develop their technology with the University of Wisconsin. Virent now has over 120 employees and plans to expand again after receiving a contract from Coca-Cola to develop a 100-percent plant-based bottle for its carbonated beverages. Virent's technology is feedstock-neutral and produces drop-in jet fuel and renewable chemicals. Their corporate partners include Cargill, Coca-Cola, and Shell.

We also have the Biomass Crop Assistance Program, which helps farmers and ranchers who want to plant energy crops for biomass that would be converted to biofuels or bioenergy. In 2011, this program supported between 3,000 and 4,000 jobs.

Our investment in the BCAP could result in companies hiring—in this farm bill, we are told—between 2,000 and 2,600 additional new employees. We have also addressed issues around collection, harvest, storage, and transport to address problems that had occurred in the last farm bill.

This program provides financial assistance to owners and operators of agricultural and nonindustrial private forest land as well. I have not talked a lot about forest land, but certainly biomass efforts—what has been done around forest by-products—are very important as well.

Steve Flick of Show Me Energy received the first BCAP project area, covering approximately 50,000 acres in 38 counties in Missouri and Kansas. Individual farmers within the boundaries of the project area can now sign contracts with the USDA to grow dedicated energy crops. This is another provision we have in the bill. Show Me's plant in Centerview currently pelletizes crops into biomass fuel for space heat and electric power. This technology will eventually provide liquid fuels that can replace gasoline and diesel. Steve Flick also testified at our hearing in February.

I could go on and on with examples. We have a very exciting project I visited not long ago in Alpena, MI, in the northeastern part of the State, which is a plant working with a paneling company that makes decorative panels, doing beautiful paneling work with 100-percent wood paneling. They are now taking what used to be waste that they sent to a waste treatment facility and pumping it right next door to a new company that is creating cellulosic ethanol. And they are now looking for other products. One of them will be a new green biodegradable effort to deice runways. So there are all kinds of possibilities.

What I am excited about is that this farm bill is focused on small businesses, farmers, ranchers, working with the forestry industry. How do we grow the economy by taking the two great strengths that have created the middle class of this country—growing things and making things? That is what this title is about; that is what this bill is about.

I am anxious to get us through this process so we can complete this bill and get on to the next generation of jobs.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. BLUMENTHAL. Mr. President, first, let me thank my distinguished colleague from Michigan for her extraordinary leadership on a milestone bill. I am so proud to be supporting this bill and to be in this Chamber speaking with her on issues that affect every American, not just farmers or those in States that may be recognized as farm States. The kind of leadership that has just been heard, I think, is a model for all of us, and I thank her.

S.J. RES. 37

Mr. President, I want to talk today about two issues that directly affect the health and safety of Americans of all ages, but particularly our seniors, and begin by associating myself with the remarks made earlier by Senators WHITEHOUSE and BOXER with respect to S.J. Res. 37.

I strongly oppose efforts underway to roll back Clean Air Act provisions that are critical to the health and safety and well-being of every man, woman, and child in this country.

Last December, the EPA finalized a rule aimed at reducing mercury and other toxic emissions from electric-generating units by about 90 percent. This rule affects the most toxic emissions in the United States—mercury, acid gas, nickel, selenium, cyanide. These rules are more important than ever.

The effort to roll them back should be resisted and rejected, and I hope my colleagues will join with me in opposing the Senate joint resolution that would not only stymie but stop efforts to protect Americans against the most toxic emissions.

I fought for these kinds of protections as attorney general. In fact, I took action as attorney general to compel these kinds of rules, and I believe the EPA is acting responsibly now in promulgating them.

WORLD ELDER ABUSE AWARENESS DAY

Mr. President, I want to thank my colleagues, on behalf of myself and Senator KIRK, for approving, Tuesday, a resolution designating tomorrow, June 15, as ''World Elder Abuse Awareness Day.''

The resolution Senator KIRK and I submitted, and that this body agreed to, recognizes the scourge that elder abuse represents here in America and around the world. I thank my colleagues for supporting it overwhelmingly, and I thank the President of the United States for proclaiming tomorrow, June 15, as ''World Elder Abuse Awareness Day,'' and I thank Secretary Sebelius for announcing today that $5.5 million in funding for States and tribes will be available to test ways to prevent elder abuse, neglect, and exploitation.

This initiative helps to implement the Elder Justice Act which was enacted as parted of the Affordable Care Act. I believe this kind of initiative brings together in partnership local, State, and Federal authorities and private groups to combat this epidemic.

The abuse of elders is a spreading epidemic. We have statistics that indicate how it is, in fact, spreading. Elder abuse incidents have increased by 150 percent in the last 10 years alone. A recent study of the GAO shows that every year 14 percent of all noninstitutionalized adults are victims of abuse or neglect or exploitation, whether it is physical or financial or even sexual. So the statistics show a trend that is undeniable—not only in the 2 million adults who are maltreated every year but in the $2.9 billion taken from older adults each year as a result of financial abuse and exploitation. That is $2.9 billion every year taken from older Americans.

But the statistics only tell a fraction of the story because the fact is only 1 out of every 44 incidents of financial abuse is reported. Mr. President, 43 out of 44 incidents are unreported. In fact, of all incidents of abuse, 22 out of 23 are unreported. And the reasons are diverse. They may be because of shame, embarrassment. In fact, one of the most common reasons for underreporting is that the victim is related to the perpetrator.

Sadly, shamefully, tragically, all too many victims of elder abuse suffer at the hands of relatives. It may be a daughter or son. It may be a brother or sister. All too often they are victims at the hands of caregivers who are entrusted with their care, literally in positions of trust for people who may suffer physically from debilitating illnesses or from dementia or other kinds of afflictions. So this population is among our most vulnerable, and we must take stronger steps to protect them.

As attorney general, I sought to lead such efforts. In fact, Connecticut now has stronger measures against elder abuse, such as more thorough background checks as a result of these initiatives.

As a member of the Committee on Aging, I held a hearing in Hartford very recently to document this spreading epidemic and the way it affects all of us—all of our relatives, all of our friends. It cuts across all lines of geography, race, gender, even income group. So this epidemic must be stopped.

That is why this resolution is important in calling attention to the problem. The President's proclamation enhances awareness, and I thank my colleagues for their continued effort and their involvement in this cause.

What is required at the end of the day is more resources—more resources for law enforcement authorities who have such a critical role in protecting

those who suffer from it, and deterring those who would commit it, and having partnerships among State, local, and Federal authorities. Those partnerships must seek out and encourage greater reporting so that efforts can be taken to stop and deter it.

I will continue this battle. I thank my colleagues for joining me and for agreeing to this resolution and for demonstrating that we care. We care as a body and as an institution. It is not a Republican or Democratic issue. It is truly bipartisan because this generation has worked hard, accumulated savings, counted on security, and is depending on us, trusting us for their safety. We know the number in this age group will only grow—in fact, double—within the next years. That is why we must address it. I thank, again, my colleagues for doing so.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF MARI CARMEN APONTE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

The motion to proceed to the motion to reconsider the vote by which cloture was not invoked on Executive Calendar No. 501 is agreed to, the motion to reconsider is agreed to, and there will now be 30 minutes of debate equally divided in the usual form.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have come to the floor to address and advocate for the nomination of an extraordinary woman, a qualified, talented Latina, Mari Carmen Aponte, to be the U.S. Ambassador to El Salvador.

Over 2 years ago I first chaired the nomination hearing for Ambassador Aponte to serve as President Obama's Ambassador to El Salvador, to San Salvador. The reality is that as a member of the Senate Foreign Relations Committee, I found her to be an exceptional candidate. Last November I chaired yet another hearing for Ambassador Aponte, and then last December this Chamber met to vote on her confirmation. In addition to last year's vote, the Foreign Relations Committee has held a series of meetings to consider her nomination. Frankly, I have not seen any nominee forced to go through such an arduous and drawn-out confirmation process as Ms. Aponte.

Let me talk about her record. Mari Carmen Aponte is a respected American diplomat who has been on the job and has served this Nation with distinction. During the 15 months Ambassador Aponte was sworn in as the U.S. Ambassador to El Salvador, she impressed the diplomatic establishment with her professionalism and won the respect of parties both on the right and the left in El Salvador. She has won the respect of civilian and military forces. She has won the respect of the public and private sectors. She has won everyone's support and fostered a strong U.S.-Salvadorian bilateral relationship that culminated with President Obama announcing El Salvador as one of only four countries in the world and the only country in Latin America chosen to participate in the Partnership for Growth Initiative.

Most importantly, Ambassador Aponte has been an advocate for American national security and democratic values. As a result of her advocacy, El Salvador is again a key ally in Central America. Its troops were the only ones from a Latin American country fighting aside American troops in both Iraq and Afghanistan.

As a result of her negotiating skills, the United States and El Salvador will open a new jointly funded electronic monitoring center that will be an invaluable tool in fighting transnational crime.

Before that period of time in which she had a recess appointment, Ambassador Aponte had been the Executive Director of the Puerto Rican Federal Affairs Administration. In 2001 she had served as a director at the National Council of La Raza, the Puerto Rican Legal Defense and Education Fund. She presided over the Hispanic Bar Association of the District of Columbia and the Hispanic National Bar Association.

This is a record of success. It is a record of honor. It is a record of diplomatic and political distinction. It is a record of a dedicated, qualified, experienced, and engaged American diplomat, a 15-month record that brought our nations together. What more could we ask? What more should we ask?

Finally, I will simply say that I believe the statements that have been used by some against Ambassador Aponte are baseless. As someone who personally reviewed her record, as someone who personally looked at all of the files, I believe there is absolutely nothing to prevent Ambassador Aponte from being confirmed by the Senate. It is my hope, with having had the whole history of her tremendous service and all of the issues vetted, that today the Senate will take a vote that will confirm an incredibly qualified person who has a long history of tremendous service to the Hispanic community in this country, to our Nation, and who did an exceptional job in the 15 months she was appointed by President Obama during a recess appointment as the Ambassador to El Salvador. She served the national interests and security of the United States very well.

We have had an incredible period of time in which we have had no Ambassador confirmed there. That sends the wrong message to a country that is willing to embrace its relationship with the United States in Central America, in the midst of other countries that are not as friendly to the United States. We need to confirm an Ambassador, send her there, and have her continue the work she was doing.

I ask unanimous consent that any time in which there is a quorum call be equally divided against both sides.

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

Mr. KERRY. Madam President, I rise to speak about Mari Carmen Aponte, the President's nominee to be Ambassador to El Salvador.

Those of us who have had the privilege of being here for some period of time—Senator INOUYE has been here almost 50 years; I have been here for 27; Senators LEAHY, LUGAR, BAUCUS, and others have also served for a significant period of time. Brief as my stay has been, never have I seen this institution behaving as it does today.

Certainly, ideology isn't new to the American political arena and ideology isn't unhealthy. But in a Senate where the extraordinary measure of a filibuster has become an ordinary expedient, where Senate procedure is used as a political tool to undermine almost every proposal by the President and his Democratic colleagues, I think we all need to take a long, hard look at our priorities.

One priority that is staring us in the face is to work for the swift confirmation of Ms. Aponte. El Salvador has been without a U.S. Ambassador for 5 months. And I would ask colleagues how does this serve our national security or economic interests? El Salvador is the only Latin American country to send troops to Afghanistan. It is an increasingly important partner on counternarcotics and trade. Right now, more than 300 U.S. companies are operating on its soil. Bottom line: We are long overdue in bringing Ms. Aponte's nomination to a vote on the floor.

I have said before—and I repeat today—that the Senate should not hold Ms. Aponte hostage to the partisan infighting that has consumed our politics. It should allow her the right to a full appointment as Ambassador, given the commendable job she has already done in that capacity.

Let's review the facts because I think there has been some confusion here. Ms. Aponte has already received three high-level security clearances from national security experts in our government. Let me repeat. After three separate and thorough reviews, our national security experts gave Ms. Aponte the green light to represent our country.

We have been down this road many times. Senators have reviewed Ms. Aponte's FBI file for themselves. Along with the administration, I have sought repeatedly and in good faith to address the concerns of some of my colleagues. The administration even offered high-level briefings, but their offers were turned down. To continue addressing patently partisan concerns about her personal background, in my judgment, would be counterproductive.

So let's talk about her accomplishments. Ms. Aponte will bring intelligence, diligence, and broad experience to this important responsibility. Prior to serving as Ambassador, she was a practicing attorney for over 30 years. She has been a proud champion of Hispanics in the United States and is a highly respected leader within the Puerto Rican community on the mainland.

Ms. Aponte served a recess appointment as Ambassador to El Salvador until the end of the last congressional session. During her approximately 16-month tenure, Ms. Aponte served our country with distinction. She did a tremendous job negotiating an agreement with the Salvadoran Government to open a new bilateral initiative to fight transnational crime. She aggressively promoted initiatives to remove constraints on economic growth in El Salvador and brought together the U.S. and Salvadoran Governments to sign a comprehensive Partnership for Growth Joint Action Plan. These aren't small achievements.

But you don't need to take my word for it. Just ask the eight former Foreign Ministers from El Salvador who wrote to the Foreign Relations Committee in support of her nomination. Their position on Ms. Aponte is crystal clear:

> Her endeavors are very valued in all segments of political, social and economic centers. There is no doubt that Ambassador Aponte will continue to find areas of common interest to build consensus not only between the United States and El Salvador, but will also continue to collaborate towards the strengthening of our institutions and will support the ongoing development process of our country.

I couldn't agree more.

Mr. President: Thomas Jefferson used to say that he could ''never fear that things will go far wrong where common sense has fair play.'' Ms. Aponte has already demonstrated that she was a superb Ambassador to El Salvador. She deserves to be sent back, where she will represent our country with distinction. All we need to do now is allow our narrow interests to yield to the national interest and give common sense fair play.

I ask unanimous consent to have the letter to which I referred be printed in the RECORD.

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

SAN SALVADOR,
November 11, 2011.

Hon. RICHARD LUGAR,
U.S. Senator, Senate Foreign Relations Committee, Washington, DC.
Hon. JOHN KERRY,
U.S. Senator, Senate Foreign Relations Committee, Washington, DC.

DEAR SENATORS: The undersigned are all former Ministers of Foreign Relations of the Republic of El Salvador, covering various Administrations lead by different political parties until 2009. We write this letter in support of the confirmation of Mari Carmen Aponte as United States Ambassador to El Salvador.

As experienced diplomats, we have closely watched Ambassador Aponte's work since her arrival. She came to El Salvador at a critical, delicate and politically complicated time. With the first FMLN government in power after the armed conflict, there was uncertainty as to which direction the country would take. Ambassador Aponte immediately commenced an even-handed and balanced approach, reaching out to all sides of the political spectrum. Systematically, she gained key players trust and since then, has consistently brought the government, private sector and civil society to the table on a myriad of issues, and has worked to cement a stronger democracy built on free market. El Salvador has experienced a very successful political transition and her impartial efforts have contributed to this goal.

With very minor exceptions, one can hear in our capital in private conversations as well as read in opinion and press articles the deep sense of respect and confidence Ambassador Aponte enjoys in our country. Her endeavors are very valued in all segments of political, social and economic centers. There is no doubt that Ambassador Aponte will continue to find areas of common interest to build consensus not only between the United States and El Salvador, but will also continue to collaborate towards the strengthening of our institutions and will support the ongoing development process of our country.

We urge you to confirm her appointment as U.S. Ambassador to El Salvador. We are also grateful if you could share this letter with all the members of the Senate Foreign Relations Committee.

Sincerely,

Marisol Argueta de Barillas; Jose Manuel Pacas Castro; Fidel Chavez Mena; Alfredo Martinez Moreno; Francisco E. Lainez; Oscar Alfredo Santamaria; Maria Eugenia Brizuela de Avila; Ramon Gonzalez Giner.

Mr. REID. Madam President, I am urge that the Senate confirm the nomination of Mari Aponte to be the Ambassador to El Salvador. She has been waiting in the aisle too long, and I hope she will be able to renew her old job.

She was an exemplary nominee of whom the Puerto Rican community, and Hispanics in general, can feel proud. She is an excellent Ambassador.

President Obama recess-appointed her as an Acting Ambassador to El Salvador in 2010, and she has served with distinction. That is why she will be confirmed today.

During her time as Acting Ambassador, Ms. Aponte was an outspoken advocate for American values and democracy and a staunch supporter of the U.S. private enterprise. She persuaded the government of El Salvador to deploy troops to Afghanistan. El Salvador is the first and only Latin American country to send military forces to join our NATO deployment. That says it all.

She reached an agreement with the Salvadoran Government to open a new, jointly-funded electronic monitoring center to fight transnational crime. She has already proved her strengths and qualifications on the job. That is what she has already done.

She has the support of the Congressional Hispanic Caucus and countless local and national Latino organizations around the country. They are very proud of her—as they should be. I am proud of her.

President Obama supported her and, to his credit, the Obama administration did a lot of heavy lifting to get her confirmed.

White House staff worked diligently for the past month to round up every vote possible. Secretary Clinton personally called Senators this week, Democrats and Republicans, to support this Aponte nomination. I commend Senator MENENDEZ for his tireless leadership on this issue. It is high time the United States has a Senate-confirmed Ambassador to El Salvador, our ally.

I also wish to express my appreciation to my Republican colleagues who dropped their unwarranted opposition and will help us confirm this well-qualified nominee. I am sorry for her and the country that El Salvador has been without someone doing advocacy for our country within El Salvador. That will not happen anymore. She will be able to go to work tomorrow.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Madam President, I ask unanimous consent to speak in the remaining time before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, we are about to vote—what I hope will be a positive vote—to send a message to the people of El Salvador that we appreciate their positive engagement with the United States, at a time in which many Central and Latin American countries have taken a different view.

This is a country that has been engaged with us on the whole issue of narcotic trafficking and has sent their sons and daughters to fight alongside us, and they have shown a willingness to engage in democracy and the rule of law.

We have an incredibly qualified American of Latina descent, Mari Carmen Aponte. She is someone who has served with distinction for 15 months. I

assume the absence of voices to the contrary in the Chamber up to this time speaks volumes of the process we have had and the opportunity in which we are about to engage.

It is my hope that we will see a strong bipartisan vote on behalf of Ambassador Aponte and send her back to El Salvador to get back to work for the United States and our collective interests.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

All time has expired.

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill 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 nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of El Salvador.

Harry Reid, John F. Kerry, Barbara Boxer, Patrick J. Leahy, Patty Murray, Richard J. Durbin, Kent Conrad, John D. Rockefeller IV, Jeff Bingaman, Tim Johnson, Robert Menendez, Daniel K. Inouye, Max Baucus, Charles E. Schumer, Mark Udall, Michael F. Bennet, Al Franken.

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

The question is, Upon reconsideration, is it the sense of the Senate that debate on the nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraordinary Plenipotentiary of the United States to the Republic of El Salvador shall be brought to a close?

The yeas and nays are mandatory under the rule.

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

The yeas and nays resulted—yeas 62, nays 37, as follows:

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 121 Ex.]

YEAS—62

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

NAYS—37

Alexander	Enzi	Moran
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Hutchison	Sessions
Coats	Inhofe	Shelby
Coburn	Isakson	Thune
Cochran	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Kyl	Wicker
Crapo	Lee	
DeMint	McConnell	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion, upon reconsideration, is agreed to.

The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—S. 3268

Mr. INHOFE. Madam President, in a moment I am going to propound a unanimous consent request. Before I do, I would like to say what it is on so people will understand the time and effort that has gone into getting legislation passed. I am referring now to S. 3268.

When John Glenn retired from this body, that left me as kind of the last acting commercial pilot. Consequently, I ended up getting a lot more of the complaints and problems within the FAA and the way accusations are made and enforcement actions are taken. I have gone to bat for a lot of these people when I believed there was really a fairness problem.

It was not until I had an experience, a personal experience, that I realized the depth of the problem. It is very hard for people in this room to understand. If you have been, as I have been, a private pilot, commercial pilot, and flight instructor for 55 years, what it would mean to have that license taken away from you if that were merely at the whim of some enforcement officer in the field. I think all of us know—when I was mayor of Tulsa, now and then we had a few police officers who could not handle the authority. It happens all the time. Certainly we hear about it with enforcement actions brought about by the FAA.

What happened to me, and I will share this with you—I think it is very important—I have probably more hours than most airline pilots have and I was still active in aviation. I was flying down to the southern part of Texas, the furthest south part of Texas, way down by Brownsville, to Cameron County Airport. Papa India Lima is the identifier for it. In this effort, with several passengers with me, I was going by the controllers. This is what you do not have to do but I always do for safety purposes. I went through the Corpus Christi approach control. He handed me off to the Valley approach control. I was going into a field that was uncontrolled, so the only control is the Valley approach control. They are watching on a screen, and they have all the information they need to direct you and authorize you to do things. They are looking for traffic and you are squawking, so they know exactly where you are, how high you are, and all the things that are happening. Again, you don't have to do that. On this day in October, a year ago October, I did not have to do it, but I did it anyway.

As I approached—the wind is always out of the south down there. The runway is 1–3—that coordinates with 130 degrees. When I was on about—I would have to go back and listen again to the voice recorder—about a 2- or 3-mile final to runway 1–3, the controller said: Twin Cessna 115 echo alpha, you are cleared to land runway 1–3.

When you do this, you dirty up your plane so you can land. This happens to be a pretty sophisticated twin-engine plane; you have to let the flaps down and gears down and all that stuff. You get to the point, if you have a full plane, beyond which you cannot go around. When I came in to make a landing, I did not see X on the runway because it was not very prominent, but nevertheless there was one there. But there were some workers on the far east side of the runway. This was a 8,000- or 9,000-foot runway. I only needed 2,000 or 3,000 feet. So I went over the workers and I landed. Immediately they got upset that I landed.

A lot of people, because I am a Member of the U.S. Senate, started calling the New York Times and the Washington Post. They had a wonderful time with this. I started looking at it and talking to the people who do the enforcement action. I have to say they were good, and they were responding to a lot of hysterical people, frankly, who did not like me. So they came with an enforcement action against me which merely was to go around the pattern with a CFI, a flight instructor. So I did this. I am also a flight instructor. I had given him his license, as a matter of fact. I went through this procedure, and everything was fine.

However, the problem was this: I was denied access to the information they were going to use against me. When I told them that I was cleared to land by the controller, it took me, a U.S. Senator, 4 months to get the voice recording to prove I was right.

Second, there is a thing called Notices to Airmen. NOTAMS are supposed to be published every time there is work on a runway. Pilots are supposed to have access to NOTAMS. You look through your resources, as I always do, to see if there are NOTAMS on the runways where I land. When I go back on

weekends, normally I will fly—gosh, I will be at five or six different towns, but I look up the NOTAMS on all the towns. I had done that. There were no NOTAMS on Cameron County Airport. We checked afterward. We could never find any. No one says there were NOTAMS now. So, No. 1, I was clear to land, and No. 2, there were no NOTAMS that were published.

What they could have done—they could have very well done is taken my license away. It doesn't mean much to people who are listening to me right now because you are not pilots, but it means a lot to the 400,000 members of the AOPA who are watching us right now and to the 175,000 general aviation pilots with the EAA, Experimental Aircraft Association, who are watching us right now. They know that they, at the whim of one bureaucrat, could lose their licenses.

Anyway, I came back and drafted legislation. I have to say this was way back a year ago now—July 6 of 2011. I introduced a bill with 25 cosponsors that would do three things:

No. 1, it would let the accused have access to all relevant evidence within 30 days prior to a decision to proceed with an enforcement action.

No. 2, it would allow the accused to have access to the Federal courts. As it is right now, the National Transportation Safety Board—it goes to them, and they rubberstamp whatever the FAA does. In fiscal year 2010, there were 61 appeals, and of those only 5 were reversed. Of the 24 petitions in 2010 seeking review for emergency determinations, only 1 was granted and 23 were denied. It is a rubberstamp. Everybody knows it. Ask any pilot you can find, and they will tell you that is what it is.

This way, they would have access to the Federal courts. It is not going to happen because I can assure you, that inspector in the field, the enforcement officer in the field is not going to put his reputation on the line knowing that someone is going to be looking at it with a sense of fairness. The district court doesn't have to know anything about piloting an airplane, it is just a fairness issue.

In my case, they would have looked at this and said: Wait, you are cleared to land by the FAA, and there are no NOTAMS published. What did you do wrong?

I did nothing wrong.

They would make sure flight station communications are available to all airmen. They are supposed to be. But if it took me 4 months—and I am a U.S. Senator—to get a voice recording to show I was cleared to land at this airport, what about somebody who is not a Senator? What about somebody who would be intimidated to the point he would lose his license?

The second thing this does is it forces the NOTAMS—Notices to Airmen—to be put in a place where they are visible, a central location.

The third thing. If you talk to the aircraft owners and the pilots association, of all the problems that they get called to their attention, 28 percent of all the requests for assistance received by them relate to the medical certification process. In other words, someone might lose his medical and then find he has corrected any kind of physical problem and wants to get it back, and he gets it back. However, if he happens to live in a different town and there are hundreds of doctors around to do this, there is no uniformity to it.

So it sets up a process or helps facilitate setting up a process by having general aviation, having the FAA, having the NTSB, having anyone who is relevant and interested in this to look at and coordinate the medical certification process.

That is essentially it. I am prepared to go into a lot of detail. I know I now have 66 cosponsors in this body. I could have had a lot more; we quit after we got two-thirds. I think everyone knows that is normally what you do. I do know we may have one objection to this unanimous consent request, but I am going to make it now.

As in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 422, S. 3268, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, reserving the right to object, first of all, I know this bill is very important to the Senator who is offering it. I understand that, and I respect the Senator. He is a good Senator. But my objection is not based so much on what he said, it is based on the whole concept of public safety.

This is about public safety. We should not have to worry that potentially unqualified pilots are in the air. We have so many tens of thousands of airplanes in the air every hour of every day. This bill would create a process which would be new which could result in the Federal Government being unable to pursue enforcement action because of the limited resources. It is a fact of life these days. FAA has to cut way back. We are having to address other mandated priorities which are perhaps more important than this one. That could very well mean that the FAA and the NTSB, the National Transportation Safety Board, which are ultimately responsible for making decisions about whether pilots have violated aviation regulations, could be barred from taking actions to prevent unsafe pilots from continuing to fly. That is heavy water. That could have serious safety consequences.

According to the FAA, in some cases which would typically warrant revocation of a pilot's license, some unqualified pilots would be able to avoid losing their certificates by avoiding FAA prosecution of the matter before the NTSB.

This bill, in closing, would stand the FAA's enforcement structure on its head. As a result, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. INHOFE. Let me respond. This in no way has anything to do with safety because we are talking—the first arbitrator is the FAA. That is not what this is about at all. When we have had a chance to talk, as we have to almost all the Senators in this body, we have talked about safety. We bounced that off many people. We had a hearing at Oshkosh about safety. I had the air traffic controllers support me on this. They are the ones concerned with safety.

I would say I don't agree with the argument, but I respect the Senator from West Virginia.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Texas.

Mrs. HUTCHISON. Madam President, I too object, along with Senator ROCKEFELLER. I have been on the National Transportation Safety Board, and I know well the kinds of cases that are pilots' license revocations and the NTSB process for appeals of those. I understand Senator INHOFE's explanation for what happened with him and that he is in somewhat of a disagreement with some of the reporting of that incident.

I also understand the Senator from Oklahoma's long-time record of being a pilot, and I respect that very much, but I am afraid that what he is not taking into consideration is most certainly a safety issue.

We have tasked the FAA with air safety, and we have given them the responsibility for revoking pilots' licenses when there is a need to do that in their opinion, whether it be for a violation of landing on a runway that has an X, which pilots know means that runway cannot be used at that time.

As happened with Senator INHOFE's case, he is saying that he had a clearance, but the X was there and the FAA cited him for that. They did not revoke his pilot's license at all, yet he is coming forward with a bill that not only addresses some of his legitimate concerns, which I agree with. The FAA's expertise and its mission, which is given to it by Congress, is to provide for safety and to revoke a private pilot's license or commercial pilot's license or aviation mechanic's license. Senator INHOFE's bill that would allow pilots to not have to go through the appellate process with the National Transportation Safety Board, which is the appellate authority, which also has the expertise and experience to know when a revocation would be questionable or if the FAA was right. They have the pilots, they have the expertise to make those decisions, and after the NTSB appeal, they then have the right to go to Federal court if they so choose.

What Senator INHOFE's bill does is take away the NTSB portion of the appeals process. Let me say that I have offered to Senator INHOFE—because he knew I objected to this bill—to do everything in his bill that he has addressed, including the openness, the requirement that an enforcement action that the FAA would grant the pilot all the relevant evidence in 30 days prior to a decision, that it would clarify the statutory deference as it relates to NTSB. NTSB is not a rubberstamp at all. I think they have been fair with their expertise. The FAA has the responsibility for aviation safety. Requiring the FAA to undertake a notice to the Airmen Improvement Program, I think, is certainly legitimate. Making flight service station communications available to all airmen is a legitimate piece of this legislation.

What I object to and have asked Senator INHOFE to let us work together to do is not to bypass NTSB, but to let the appellate process go forward, and then at the end, if there is still a feeling of unfairness on the part of the pilot, that they would have access to the Federal courts. They can do that now.

So I think Senator INHOFE insisting on bypassing NTSB is holding up the good parts of his bill because it is very important, in my opinion, that we keep the expertise for safety in the skies where it is, in the FAA, the NTSB, and then go to the Federal courts if rights are violated.

In 2011, the NTSB had 350 appeal cases for administrative law judges and the number was similar in 2010. Cases are typically disposed of in 90 to 120 days, so there is not a long lag time in which the pilot doesn't have the access to his or her license. The NTSB held 62 appeals hearings in 2011 and 36 cases went to the full board. The breakdown of the cases was private pilots, 48 percent; airline mechanics or aviation mechanics, 13 percent; commercial pilots, 6 percent; air carriers, 8 percent; and medical with 25 percent.

Senator ROCKEFELLER and I, as the relevant chairman and ranking member on the Commerce Committee, have agreed to have a hearing on Senator INHOFE's bill so that this can be fully vetted, and most certainly I have on many occasions offered to work with Senator INHOFE to get the notification requirements, the openness requirements—every part of his bill that would require reforms of the process for fairness to the pilots—I would agree with and work to help him pass. But I think taking out the NTSB and going directly to Federal courts is not necessary, and I think it will hurt aviation safety.

I also believe that a different, extraneous issue is that our Federal courts are pretty clogged already and the Federal courts do not have those with pilots' licenses on their staff clerkship rolls, to a great extent. Maybe they happen to be. But they don't have the familiarity with the requirements of FAA and the issues that FAA looks at, and they do have access to Federal courts in the end anyway. But I think the NTSB part is important so that the experienced pilots in the NTSB have the appellate authority, as they do now, to decipher what happened with the FAA and determine if fairness was given to the pilot. It is also to help determine if that pilot should continue to fly or if it would endanger aviation safety, which should not be the role of the Federal courts.

So Senator ROCKEFELLER and I do object. I hold my hand out to Senator INHOFE to work with him on the notification and fairness issues in his bill, which I support. I just don't think bypassing the expertise of the NTSB and adding another burden to the Federal courts where they do not have the expertise is in anyone's best interest in this country, and I am happy to work with anyone who is interested in this issue and hope we can resolve it.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I think it would be redundant for me to go back and repeat what I said before. The Senator from Texas talked about the X on the runway. I made it very clear by the time you can see the X on the runway when you are cleared to land and you have a sophisticated plane that is full of passengers, there is a point beyond which you can't go in terms of your plane is dirtied up making a go-around. Obviously it wasn't necessary because I had 7,000 empty feet to come around, but that is not important because that is not the issue.

I recognize and respect Senator HUTCHISON in the fact that she was on the NTSB, and I know that obviously is meaningful to her, as it is to Senator ROCKEFELLER.

What we are dealing with here is we have a committee—and I have a lot of respect for the committee for which Senator ROCKEFELLER is the chairman and Senator HUTCHISON is the ranking member, and this committee is the committee of jurisdiction.

Now, what did I do? I introduced this bill a year ago. I talked about it. We had 25 cosponsors at that time. We had endorsements from all over the country. We had the National Air Traffic Controllers Association come in. We sent out ''Dear Colleagues'' to talk to people. Again, we sent a letter to the Commerce Committee that Senator HUTCHISON was on at that time requesting a hearing. We had 32 cosponsors signing that letter, requesting a hearing, some of which were on the Commerce Committee. Nothing happened.

On September 20, as the months go by, we made more requests. We talked about this, and every time they said we are going to be doing this. You finally get to the point where you have to go ahead and get it done. And that is why we have a rule XIV. I am not a Parliamentarian, and I don't know exactly how things work.

I remember I had experience with this when I worked in the House of Representatives, that when something is bogged up in a committee we had what is called the discharge petition reform of 1994. It was considered by the Wall Street Journal, or perhaps Business Daily, as the single greatest reform in the history of the U.S. House of Representatives. It addressed this same thing. It is a way of bottling up bills in committees so they could never have hearings and never be able to get on the floor for a vote. That discharge petition reform became a reality, and now the light is shining and everything is great.

But when you have been trying to get a hearing before a committee for a year and you have 66 cosponsors, you have to resort to whatever is out there available to you for a remedy. That remedy happens to be rule XIV. Rule XIV will allow me to do this, and with the two people holding the bill up, Senator ROCKEFELLER and Senator HUTCHISON, I will have no choice but to file cloture and to go ahead and get a vote on this bill, recognizing it takes a supermajority when you file cloture. So I would do that.

I didn't think I would get into this or need to enter it into the RECORD. I have an article which I will find here and will submit for the RECORD. I think it is very important. It goes into detailed documentary cases where they have been unable to get fairness through this system.

How many cases would ultimately go to the district court? I think very few. The idea that there is going to be an opportunity for a pilot to take what he is accused of to the district court to see it in a sense of fairness has nothing to do with how many pilots are sitting on that district court. It is a sense of fairness, and that is what they deal with. The people in the district court system don't have expertise in all of these areas, but they can look at fairness. And I can tell you in my case, if they had looked at that and said, wait a minute, the FAA has cleared him to land and there are no NOTAMs published, he didn't do anything wrong. It finally gets to the point—and I have been very patient. I have waited a whole year for this and finally I have come to the point where I have flat given up, so I decided that we are going to have to do it this way since it is clearly the will of the Senate to pass this legislation.

So, with that, I have some things I want to have printed in the RECORD. First of all, I have the sequence of events, the request that we made of the Commerce Committee to hear this legislation.

I have an article that was in Pilot magazine by John Yodice, who is considered to be the single foremost legal authority in this area.

Madam President, I ask unanimous consent to have both items printed in the RECORD.

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

S. 1335, INHOFE-BEGICH PILOT'S BILL OF RIGHTS SUMMARY

THE PILOT'S BILL OF RIGHTS DOES THREE THINGS

1. Makes the FAA Enforcement Process Fairer for Pilots—Requires that in an FAA enforcement action against a pilot, the FAA must grant the pilot all relevant evidence 30 days prior to a decision to proceed with an enforcement action. This is currently not done and often leaves the pilot grossly uninformed of his violation and recourse. Eliminates the NTSB rubber stamp review of FAA actions. Too often the NTSB, which hears appeals from the FAA, gives wide latitude to the FAA, making the appeals process meaningless. In FY10, of the 61 appeals of FAA certificate actions considered by the NTSB, only five were reversed. Of the 24 petitions seeking review of emergency determinations considered by the NTSB, only one was granted and 23 were denied. The bill clarifies the deference NTSB gives to FAA actions. Allows for federal district court review of appeals from the FAA, at the election of the appellant. Makes flight service station communications available to all airmen. Currently, the FAA contracts with Lockheed Martin to run its flight service stations. If a request is made for flight service station briefings or other flight service information under FOIA, it is denied to the requestor because Lockheed Martin is not the government, per se. However, they are performing an inherently governmental function and this information should be available to pilots who need it to defend themselves in an enforcement proceeding.

2. Improves the Notices to Airmen System—Requires the FAA undertake a NOTAm Improvement Program, requiring simplification and archival of NOTAMs in a central location. The process by which Notices to Airmen are provided by the FAA has long needed revision. This will ensure that the most relevant information reaches the pilot. Nonprofit general aviation groups will make up an advisory panel.

3. Requires a Review of the Medical Certification Process—The FAA's medical certification process has long been known to present a multitude of problems for pilots seeking an airman certificate. In fact, 28% of all requests for assistance received by the Aircraft Owners and Pilots Association relates to the medical certification process. The bill requires a review of the FAA's medical certification process and forms, to provide greater clarity in the questions and reduce the instances of misinterpretation that have, in the past, lead to allegations of intentional falsification against pilots. Nonprofit general aviation groups will make up an advisory panel.

ACTION ON PILOT'S BILL OF RIGHTS

July 6, 2011—Introduced Pilot's Bill of Rights with 25 cosponsors and endorsements from Aicraft Owners and Pilots Association and Experimental Aircraft Association.

July 11—National Air Traffic Controllers Association endorses.

July 28—Dear Colleague from Begich and Pryor sent to Democrats requesting cosponsorship.

July 30—Presented PBOR at OshKosh Airventure.

September 15—Sent letter (with 32 signatures) to Commerce Committee requesting hearing.

September 20—EAA sends e-Hotline to members regarding hearing request.

November 10—Roundtable event with Harrison Ford, endorses PBOR.

November 17—Acquires 60th Cosponsor.

November 19—AOPA makes PBOR frontpage story on website.

January 19, 2012—Staff meeting with Gael Sullivan (Rockefeller), Jarrod Thompson (KBH), and Michael Daum (Cantwell) to discuss committee consideration of PBOR (staff requested hearing).

January 25—Sam Graves introduces H.R. 3816, a companion measure.

March—AOPA publishes story highlighting Pilot's Bill of Rights.

May 5—Acquires 66th cosponsor.

[From the AOPA Pilot]

NTSB: AN IMPARTIAL FORUM FOR PILOTS?

(By John S. Yodice)

Under the Federal Aviation Act, the National Transportation Safety Board functions as a court of appeals for pilots when the FAA has suspended or revoked a pilot or medical certificate. In our increasingly complex airspace system and the more intensive regulation of our flying activities, no pilot is immune. This appellate function is given to the NTSB because it is independent of the FAA, and presumably able to provide a fair and impartial forum for the hearing of such appeals. Under the Act, an appealing pilot is entitled to ''an opportunity for a hearing.'' It also provides that an FAA order of suspension or revocation must be reversed if the NTSB finds after a hearing that ''safety in air commerce or air transportation and the public interest do not require affirmation of the order.''

Decisions of the current NTSB cause us to question its fairness and impartiality in pilot appeals. Many of these decisions have been reported in this column, one as recently as last month (''Pilot Counsel: No 'Statute of Limitations,''' July AOPA Pilot). Here is another case that raises doubts.

The FAA ordered the suspension of a private pilot's certificate for 30 days for piloting a Piper Cherokee 140 into the Washington, D.C., Air Defense Identification Zone (now the ''Special Flight Rules Area''). The FAA said that the pilot failed to comply with the special security procedures of the relevant notam, and was ''careless or reckless'' in the operation. The pilot appealed the order of suspension to the NTSB. He filed an answer to the FAA's order admitting the inadvertent incursion, but defending that ''the special procedures required pursuant to FDC notam 7/0206 are unique, complex, and ambiguous.'' (To prove the pilot's point, although it never came up in the case, there have been thousands of such inadvertent incursions, as opposed to very few, if any, intentional ones.) He also adamantly denied that he was ''careless or reckless'' in his operation.

The result of the appeal to the NTSB was that the pilot was denied a hearing to contest the FAA charges; he was denied a waiver of the suspension even though he timely filed a report with NASA under the Aviation Safety Reporting Program (''Pilot Counsel: ASRP,'' June AOPA Pilot); and he wound up with a ''careless or reckless'' violation on his public FAA airman record.

This result was achieved by a series of procedural, regulatory, and policy interpretations by the NTSB, all one-sided. To start with, the NTSB has a procedural rule allowing summary judgment, i.e., no hearing, if there are no factual issues to be heard. (In my experience the only party routinely granted summary judgment is the FAA, never the pilot.) Based on the pilot's admission that he inadvertently entered the ADIZ, the FAA moved for summary judgment, and the board granted the motion. What the FAA and the board ignored in denying a hearing were the three issues raised by the pilot: one, that he was not ''careless or reckless;'' two, that ''the special procedures required pursuant to FDC notam 7/0206 are unique, complex, and ambiguous;'' and three, that he was entitled to a waiver under ASRP.

The FAA has a catchall regulation, FAR 91.13(a), that provides: ''No person may operate an aircraft in a careless or reckless manner so as to endanger the life or property of another.'' In a one-sided interpretation, the NTSB has written out of the rule the required element of proof that life or property has been endangered. The pilot was never afforded the opportunity to prove that there was no danger to anyone or anything. In another one-sided interpretation of the same rule, the board held that the ''careless or reckless'' part of the charge is merely ''residual'' to the ADIZ incursion charge and therefore does not warrant a hearing.

The board rejected without serious discussion, the pilot's defense that the security procedures are unique, complex, and ambiguous. Apparently the board could not bring itself to acknowledge that there could be something wrong with a rule that is unintentionally violated by thousands of otherwise law-abiding and safety-conscious pilots.

The pilot timely filed a report with NASA under ASRP that should have entitled him to a waiver of the 30-day suspension. Most pilots charged with inadvertent incursions have been granted waivers. The board, although conceding that the pilot raised this issue in his reply to the FAA's motion for summary judgment, denied that this was an issue for hearing because, technically, the pilot did not raise it in his answer. Merely raising it in a different pleading filed with the board was not sufficient.

Notice that every one of these issues, without exception, went against the pilot and in favor of the FAA, all without granting the pilot the hearing, which the Act contemplates, to put on his side of the case. This case would not be so remarkable if it stood alone, and not in context with the many other cases we have seen, many of which we have reported, in which the NTSB one-sidedly seems to favor the FAA and disfavor pilots.

Mr. INHOFE. He talks about the decision of the current NTSB calls into question its fairness and impartiality in pilot appeals. And he talks about all the notices that have gone out and the problems they have had with this.

Of the 100,000 pilots who are interested in this today—actually, well over that—but just those who are involved in this process right now, they have had documented cases where the fairness is not there. This would offer fairness, and that is all we are asking, just to be treated as fairly as every other citizen in the United States.

I yield the floor.

Mrs. HUTCHISON. Mr. President, on the point of the hearing, Senator ROCKEFELLER and I have agreed certainly with Senator INHOFE to hold a hearing, which we notified Senator INHOFE we would, and I expect it to be next month for the hearing schedule. I just hope we can pass a good part of his bill, which I would like to work with him on, but I think the motivation should be safety and assuring safety. I know the personal conflict Senator INHOFE has with what happened to him, and I am sympathetic, but I don't think passing legislation that could hurt the aviation safety community is the right approach to meet the objections of Senator INHOFE.

I would love to have a hearing and have all the witnesses he would put forward to get an objective look at what this would do to taking the expertise and the mission from FAA and allow it to be bypassed at the NTSB level and go to Federal courts where there is not the experience and the aviation safety mission that is well protected today.

I hope we can work together on this. I understand the Senator's frustration, but I don't think this is the right solution for what happened to him with one incident.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Oklahoma.

Mr. INHOFE. First of all, I am not aware that I was offered a hearing. But let me make sure I have in the RECORD, and I ask unanimous consent to have printed in the RECORD a letter dated September 15, 2011, which was 9 months ago, signed by 32 Members of this Senate, including the occupier of the chair right now, the Senator from West Virginia.

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

U.S. SENATE,
Washington, DC, September 15, 2011.

JOHN D. ROCKEFELLER,
Chairman, Senate Committee on Commerce, Science, and Transportation, Dirksen Senate Office Building, Washington, DC.

KAY BAILEY HUTCHISON,
Ranking Member, Senate Committee on Commerce, Science, and Transportation, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN ROCKEFELLER AND RANKING MEMBER HUTCHISON: A bill that was recently introduced by Senator Inhofe, S. 1335, the Pilot's Bill of Rights, has been referred to your committee. It currently has 32 cosponsors, 13 of which are members of the Commerce Committee. With a majority of committee members having already voiced their support for this legislation, we respectfully request that you hold a committee or subcommittee hearing and markup of this legislation.

During the drafting of this legislation, Senator Inhofe worked extensively with the Aircraft Owners and Pilot's Association and the Experimental Aircraft Association, both of which have strongly endorsed this bill, as well as private aviation attorneys. It became clear during this process that several common sense changes should be made to enhance the relationship between the FAA and general aviation, and those were incorporated into the bill.

First, the bill requires that in an FAA enforcement action against a pilot, the FAA must grant the pilot all relevant evidence, such as air traffic communication tapes, flight data, investigative reports, flight service station communications, and other relevant air traffic data 30 days before the FAA can proceed in an enforcement action against the pilot. This is currently not done and often leaves the pilot grossly uninformed of his alleged violation and recourse.

Second, the bill also allows for federal district court review of appeals from the FAA, at the election of the appellant, and states that the NTSB shall not grant deference to the FAA in an appeal, should the pilot choose to go the NTSB route. Both of these things are done because too often the NTSB rubber stamps a decision of the FAA, giving wide latitude to the FAA and making the appeals process meaningless.

Third, this bill requires that the FAA undertake a Notice to Airmen Improvement Program, requiring simplification and archival of NOTAMs in a central location. The process by which Notices to Airmen are provided by the FAA has long needed revision. This will ensure that the most relevant information reaches the pilot. Non-profit general aviation groups will make up an advisory panel, which we believe will give pilots a seat at the table when deciding how the NOTAM system can be improved.

Fourth and finally, the FAA's medical certification process has long been known to present a multitude of problems for pilots seeking an airman certificate. The bill simply requires a review of the FAA's medical certification process and forms, to provide greater clarity in the questions and reduce the instances of misinterpretation that have, in the past, led to allegations of intentional falsification against pilots. Non-profit general aviation groups, aviation medical examiners, and other qualified medical experts will make up an advisory panel to advise the Administrator, again giving the right people a voice in the overall determination.

Again, we hope that you will schedule a hearing and markup of this legislation that is extremely important to the general aviation community. As many of us sit on your committee, we look forward to being an active part of this process.

Sincerely,

James M. Inhofe; John Hoeven; Jim DeMint; Roger F. Wicker; Dean Heller; Pat Toomey; Joe Manchin III; Lisa Murkowski; Mark Begich; Kelly Ayotte; Jerry Moran; Lamar Alexander; Roy Blunt; John Boozman; Marco Rubio; John Cornyn; Olympia J. Snowe; Michael B. Enzi; James E. Risch; Richard Burr; John Barrasso; Pat Roberts; Mike Crapo; Mike Johanns; Tom Coburn; Ron Johnson; Saxby Chambliss; Mark L. Pryor; Debbie Stabenow; Susan M. Collins; Daniel Coats; Jeff Sessions.

Mr. INHOFE. Mr. President, I don't think anyone is going to say we haven't done everything we could to go through the committee process to get a hearing. I just flat gave up. That is why we have this rule.

I will be looking forward to taking the next steps. I know there are a lot of people out there who want to have this type of justice afforded the pilots of the United States of America, the same as every other citizen enjoys.

With that, I appreciate the patience of my colleagues, because I know we have other business, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. I rise to speak as in morning business.

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

ENDING VETERAN HOUSING DISCRIMINATION

Mr. BROWN of Massachusetts. Mr. President, I rise to discuss a terrible shortcoming in our housing discrimination laws and legislation which I have introduced and which I encourage the Presiding Officer to sign on to.

Last week, the Boston Herald reported that a veteran of Iraq and Afghanistan had been forced to file suit in Massachusetts because a political activist landlord allegedly discouraged him from renting because of his military background, claiming the situation would be ''uncomfortable.''

This brave veteran brought his fight to the press and to the courts of Massachusetts, where State law makes it illegal to discriminate against veterans who are seeking housing. In Massachusetts, that is, in fact, the law. It is illegal. When I read this, I was angry, as I know the Presiding Officer would be angry if it happened in his State. That this could happen today is mind-boggling. So my staff and I started working to see what we could do to right this wrong and see if it was something that was systemic throughout the country. We started digging into this issue and found that when it comes to housing, it is apparently not illegal—let me repeat that, it is apparently not illegal—under Federal law to discriminate against a veteran or a member of our Armed Forces on the basis of their brave service to our Nation.

Back when I was a State senator and State representative in Massachusetts, at the statehouse, we took action, as I referenced, to ensure our veterans are protected, whether it is a welcome home bonus for first- and second-time soldiers who have served, antidiscrimination reemployment or educational benefits. I could go on and on.

Quite frankly, I think Massachusetts does it better than any other State in the country. So it came as a surprise to learn that fewer than one-half dozen States have similar protections. With tens of thousands of veterans returning home in the next few years and the size of our Armed Forces actually shrinking dramatically, now is clearly the time to fix the problem. I know the Presiding Officer as well does not want to hear more stories such as this one because I recognize how important that issue is for the Presiding Officer.

No one who puts on the uniform of our Nation and serves should be faced with discrimination. There is no one who should ever face that discrimination when they are trying to put a roof over their head and the heads of their family. The idea that anyone would deny a home to someone who has put their life on the line for our freedom is, quite frankly, un-American. It should be condemned by every Member of this body.

In order to understand today's problem, however, we must go back to 1968, when I was 9 years old, when one of my predecessors, Senator Edward Brooke, a great legislator from my home State of Massachusetts—a gentleman whom I still speak with—helped author the Fair Housing Act which was signed into law by then-President Johnson. That civil rights legislation broke new ground by banning housing discrimination on the basis of race, color, religion or national origin. Another great Senator from Massachusetts, Senator Ted Kennedy, joined Senator Brooke in urging the bipartisan passage of that very important piece of legislation.

Then, in 1974, closer to the Presiding Officer, Senator Bill Brock of Tennessee amended the act to prevent housing discrimination on the basis of

gender. Then, in 1988, Senator Kennedy extended the act's protections to those Americans with disabilities and families with children. Both of these expansions received broad bipartisan support and were actually signed into law.

As Senator Brooke said 44 years ago:

Fair housing is not a political issue, except as we make it one by the nature of our debate. It is purely and simply a matter of equal justice for all Americans.

Well said by Senator Brooke 44 years ago.

Fair housing has a bipartisan history and we have a chance to do it again. We can do it by protecting two additional groups from housing discrimination. My Ending Housing Discrimination Against Servicemembers and Veterans Act, S. 3283, is needed and it is needed right now. It amends the Fair Housing Act to protect veterans and servicemembers from housing discrimination.

By passing this bill right away, the Senate can say affirmatively and immediately that veterans and servicemembers deserve the same rights to housing as anyone else. This is a no-brainer. The Commander in Chief of the Veterans of Foreign Wars of the United States has endorsed my bill, as referenced for people looking on, saying:

Senator Brown's work to protect servicemembers and veterans from housing discrimination is very positive. It is unconscionable that members of our military and veterans should fear not being able to rent or buy a home because of their status as a veteran.

This bill will correct the issue.

By passing this bill right away, we can, once again, say to those veterans and servicemembers that they have our pride and respect. We need the action right now. No veteran or servicemember should ever face the indignity of being denied housing solely on the basis of their service.

The Fair Housing Act of 1968 and Senator Kennedy's amendments in 1988 passed with overwhelming support. We should be able to do the same. I urge all my colleagues to cosponsor this important piece of legislation and work for its immediate and unanimous passage. It is time to fix this shortcoming in our Nation's housing laws and it is, quite frankly, the right thing to do.

I would like to also take this opportunity to wish the U.S. Army a happy 237th birthday. I was honored to go to the cake-cutting last night and honor those who have done so much for our great country.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I yield back all postcloture time on the nomination of Mari Carmen Aponte.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of El Salvador?

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

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

Mr. REID. Mr. President, very quickly, that was the last vote today. It appears we will have no votes tomorrow. But Senator STABENOW and Senator ROBERTS are working very diligently to come up with an agreement on the farm bill. We are going to have a vote Monday evening. We have not decided exactly what that will be on. We have a number of different alternatives. But we hope we can have common sense prevail and be able to come up with an agreement, if for no other reason than to recognize the hard work of the two managers of this bill.

It is so important we get this done. There are issues we are going to vote on, one of which Senator KERRY will talk about. There are relevant amendments. We have a lot of them. We will agree to vote on those. We are trying to work out also the nonrelevant amendments, and we are not there yet.

The PRESIDING OFFICER. The Senator from Massachusetts.

APONTE NOMINATION

Mr. KERRY. Mr. President, I am grateful we finally have been able to get the nomination of Mari Aponte confirmed. I thank Senator MENENDEZ for managing for me.

I thank our colleagues in the Senate for finally getting our nominee in place and confirming her to be the Ambassador to El Salvador. I think it is long overdue. She will do a terrific job, and I am grateful to colleagues that we finally have, in fact, confirmed this nomination.

Mr. President, I understand I can proceed as in morning business.

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

AGRICULTURE REFORM

Mr. KERRY. Mr. President, I will do so, but I wish to speak with respect to an amendment on the farm bill for when we get back to that.

I wish to call to the attention of my colleagues the fact that in 2008, the farm bill's conferees inserted a provision that transfers authority of the regulation of catfish, but only catfish—it was the only particular item singled out to be transferred—from the Food and Drug Administration to the U.S. Department of Agriculture. The provision was not debated in either body. It is one of those things that, as we all know, people have increasingly gotten incensed about in the public as well as around here, in the Congress itself.

Because it was transferred over to the U.S. Department of Agriculture, the USDA subsequently published a proposal in order to carry out the new mandate it had been given to regulate catfish. But that proposal has remained, and properly so, stalled in the regulatory process. I say ''properly so'' because it serves no public interest, it is costly for taxpayers, and it is duplicative and confrontational with other entities that are engaged in that kind of oversight. As a result, it will invite trade retaliation abroad and put us on a train wreck, if you will, of sort of excessive regulatory conflict.

Senator MCCAIN and I have joined together, along with a bipartisan group of our colleagues, to offer an amendment, amendment No. 2199, to repeal the 2008 catfish language. If we don't repeal it, the USDA is going to try to continue to proceed forward in this regulatory train wreck.

Let me give a little background. In February of 2011, the GAO cited the proposed catfish regulatory program—cited it as part of its report on those programs that were at high risk for waste, fraud, and abuse. Then, in March of 2011, the GAO again called this program duplicative as part of a totally separate report. Then, just last month, the GAO produced an extensive and detailed analysis of why this program is not only costly and duplicative but why it would have no food safety benefit. If it is not going to have any food safety benefit, it is costly, it is duplicative, the obvious question for all of us is: Why? What is going on here?

All of us care about jobs in our communities. Every State is always vying to find a way to try to guarantee that the jobs it has are protected and that it is creating more jobs. We all understand that. So I don't have any animus against any particular Senator fighting to do that. In this case, a number of catfish producers in the South managed to get protection that takes care of them but hurts a lot of other folks in a lot of other parts of the country. So it may be good for catfish producers in a few places in the South, but it is bad for consumers in the United States generally because it raises costs, and it is very bad for seafood processors and for communities, in my State among others, but in other States in the country on the west coast and east coast. There are employers in my State that would like to process and distribute products that come from various other places, including abroad, and they

ought to be able to do so in a free market, in an open market that is not protected and chopped up and diced and sliced in order to protect people inappropriately. Playing protectionist games with the rules and regulations and agencies is bad public policy.

It is bad economic policy, particularly, and it is an invitation to our trading partners to do the same thing. And when they do it, we complain about it, and rightfully.

As Senator BAUCUS, the chairman of the Finance Committee, has pointed out:

U.S. agricultural products, including safe, high-quality Montana beef, face unscientific trade restrictions in many important markets. If we expect other countries to follow the rules and drop these restrictions, it is critical that we play by the rules and do not block imports for arbitrary and unscientific reasons.

That is exactly what we are trying to undo with the amendment Senator MCCAIN and I are bringing to the farm bill. The only reason this bad idea that was codified in 2008 has not yet become an active program is that—get this, Mr. President—the bill did not define the word ''catfish.'' So as a result, for the last 4 years, lawyers, lobbyists, public relations firms, foreign governments, legislators, and multiple Cabinet officials have engaged in a definitional debate over what qualifies a fish to be called a catfish and, subsequently, fall into this new regime.

Well, it turns out that whether a fish is or is not a catfish is something that experts can actually debate for hours, believe it or not. It also turns out it does not matter because, according to the GAO, the FDA ought to retain jurisdiction over all fish, catfish and noncatfish alike, and that is the simplest solution.

As I mentioned, apparently, you can debate forever about what kind of fish it is, and that is exactly what has been going on, as to whether it constitutes being a catfish. But this is very simple. The GAO put out a report in May of this year, and in the report the GAO could not have been more clear. They made it about as simple as they could in their statement, saying:

Responsibility for Inspecting Catfish Should Not Be Assigned to USDA.

A simple sentence. GAO, as we all know, gives nonpolitical assessments, is a watchdog, if you will, for the actions here in the Congress. In that report, they state:

The proposed program essentially mirrors the catfish oversight efforts already underway by FDA and the National Marine Fisheries Service. Furthermore, since FDA introduced new requirements for seafood processing facilities, including catfish facilities, in 1997, no outbreaks of illnesses caused by Salmonella contamination of catfish have been reported. . . . Consequently, if implemented, the catfish inspection program would likely not enhance the safety of catfish but would duplicate FDA and NMFS [National Marine Fisheries Service] inspections at a cost to taxpayers.

So I think that is pretty clear-cut. We need to repeal the 2008 farm bill language related to catfish. We need to let the American consumer decide from all of the safe food options that exist, let them decide what they want to consume. And, obviously, we have nothing specifically against catfish per se in any part of the country, and particularly the jobs. We all want the jobs. But they should not come at the expense of another part of the country, setting up a duplicative, completely wasteful, taxpayer-expenditure-duplicated program.

Mr. President, in addition to that, I want to say a quick word about another amendment Senator MURKOWSKI and I are sponsoring—my colleague, Senator BROWN, is also a sponsor of it—and that is to resolve an important inequity that exists in the current law. We need to help provide desperately needed disaster assistance to fishermen in Massachusetts and around the Nation. It is not just for Massachusetts.

I hope the managers of this legislation will let the bipartisan amendment receive a vote during the Senate consideration of this legislation. Everybody knows that in certain parts of New England and in places such as the State of Washington—I was out in Washington last weekend, in Seattle, they have a huge fishing industry—California, San Diego, various parts of the country, Louisiana, we have a lot of fishing. But, increasingly, those fishery resources are under pressure, and increasingly there is regulation in order to try to preserve the stocks.

So fishermen who have fished for a livelihood for a lifetime are being restricted in the numbers of days they can go to sea, restricted in the amount they can catch. People have lost homes. They have lost boats. Whole lives have been turned topsy-turvy because of conditions beyond their control. Whether it is the ecosystem, Mother Nature, nobody knows, but it is no different from a drought in the Iowa cornfields or in other parts of the country. It is no different from a disaster that takes place when crops are wiped out.

These folks are being wiped out. They are the farmers of the sea, the farmers of the ocean, and they farm sustainably. But they need help. Gloucester and New Bedford in Massachusetts are two of the largest fishing ports in our Nation, and the commercial fishing industry supports about 83,000 jobs in the State and $4.4 billion in revenue. But it is becoming harder and harder for these fishing families and for the smaller boats to survive. These small boat fishermen, particularly, are part of the culture of our State and of our region, and we want to try to preserve that.

Last fall, the National Oceanographic and Atmospheric Administration announced a reversal in the most recent Gulf of Maine Cod Assessment. Within 3 years of each other, two radically different stock assessments have been issued—one saying the stocks are replenishing, another saying they are disappearing. And fishermen are whipsawed between these stock assessments and are told different things. In one, they think they can invest in their boats and in the future; in the next, they are being told: Sorry, folks, you are out of luck.

Well, it should not be that arbitrary, and it certainly should not just whack them and abandon them.

NOAA is now undertaking a new survey for next year because of the conflict of the surveys. So how are we going to help these people survive until next year? How are we going to help them get through those hard times and keep those boats, so if the word comes back that they can go back out to the ocean and continue their livelihoods, they are actually able to do that?

My amendment simply expands the eligibility for the Emergency Disaster Loan Program—underscore loan; it is not a grant; it is a loan program—to include commercial fishermen and shellfish fishermen. That is all we are asking. It would allow fishermen to be eligible for a low-interest emergency disaster loan, available through the Department of Agriculture's Farm Service Agency. It is my understanding this amendment would have no score.

Fishermen, as we know—many people saw ''The Perfect Storm.'' They risked their lives to go out and put protein, food on the tables of America. All you have to do is watch one of the shows—''Deadliest Catch''—to get a sense of what is at stake. I believe they are agricultural producers, like other kinds of farmers, and they ought to be treated with the same respect.

We have put billions upon billions of dollars, often in grants, in emergency assistance, for one reason or another, to farmers across the States of the Midwest, Far West, and some in the Northeast, where we do have some farming, but usually it is in other parts of the country, and we have consistently voted to do that, to help people.

We are asking our colleagues to treat our farmers of the sea with the same respect that others are treated in this country. We simply end an inequity in the law that does not provide a legal mechanism for people to be able to do what they would like to do, which is being able to legally help our fishermen with these low-interest loans.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

PILOTS' BILL OF RIGHTS

Mr. INHOFE. Mr. President, a while ago we were talking about the unanimous consent request that was objected to by Senator HUTCHISON to bring up my pilots' bill of rights by

unanimous consent, actually Senate rule XIV.

During that time, it was the intention of Senator MARK BEGICH from Alaska to be on the Senate floor with me. He was tied up with constituents. I did not want to talk about him unless he was down here. But I have visited with him. Right now we have—I do not know how many—thousands and thousands of pilots who are watching this at this moment. I want them to know that MARK BEGICH has been the cosponsor of my legislation. We would not be able to be here and doing what we are doing, as far along with 66 cosponsors, if we had not had his cooperation. I wish to thank him and the junior senator from West Virginia Mr. MANCHIN, who has been on my side on this legislation all of the way through.

I just want to make sure the pilots of America know who does want them to have equal justice under the law and who, perhaps, does not.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I want to thank the good Senator from Oklahoma, Mr. INHOFE, for his leadership on this very important piece of legislation. I am proud to be part of that with him and the leadership he has shown for us fellow pilots and, basically, the only connection we have in some rural parts of not only West Virginia but all of over the country, our private aviation. We hope to keep that alive and well. I know it is the same in the Presiding Officer's State. We appreciate all of the support and Senator INHOFE's leadership.

HYDROCODONE ABUSE

Mr. President, I rise today to speak about a very important issue that I believe will truly help each and every one of us, every Senator and every Congressman from all 50 States, accomplish something meaningful when it comes to fighting the prescription drug abuse epidemic that is plaguing communities all over this great Nation.

I have not talked to a person in my State who has not been affected by a person in their immediate family or extended family with prescription drug abuse. It is something that is of epidemic proportions that we have to fight and work together on.

Less than a month ago, I was so proud when the Senate came together to unanimously support an amendment I offered with Senators MARK KIRK, KIRSTEN GILLIBRAND, CHUCK SCHUMER, and JAY ROCKEFELLER that would make it far more difficult to abuse addictive pain medication by reclassifying drugs containing hydrocodone as schedule II substances.

Let me explain what this means in practical terms. Moving hydrocodone to a schedule II drug means that patients would need an original prescription to get their pills refilled. Pills would be stored and transported more securely, and traffickers would be subject to increased fines and penalties.

As we speak, negotiations are ongoing between the House and the Senate on a compromise version of the Prescription Drug User Fee Act. The Senate version contains my amendment and the House version does not. So we are fighting as hard as we can to make sure this amendment is included in the final bill.

Last month I stood on the Senate floor and shared stories that I heard in communities across West Virginia about why this amendment is so urgently needed. Prescription drug abuse is responsible for about 75 percent of the drug-related deaths in the United States and 90 percent in my home State of West Virginia.

According to the White House Office of National Drug Control Policy, prescription drug abuse is the fastest growing drug problem in the United States. It is claiming the lives of thousands of Americans every year. But no statistic can illustrate the scope of this problem like hearing the pleas of children who are begging their leaders to do something to get drugs out of their communities—children such as those I met in Wyoming County, West Virginia, last October where more than 120 people have died from drug overdose in 7 years, including 41 last year and 12 already this year.

Since that proud moment when the Senate unanimously passed my hydrocodone rescheduling amendment, it has come under fire—you can imagine—from groups that seem to think trying to limit the number of hydrocodone pills making their way into our communities, and oftentimes into the wrong hands, is a bad idea because it affects their bottom lines.

I recognize this amendment does not fit into the business model of selling as many pills as possible. I understand that. But with that being said, I believe we have a responsibility to this great Nation, and especially to the youth of America. This will affect us for generations to come. To win this war on prescription drugs it needs to happen now.

Hydrocodone is one of the most abused substances we have and the most addictive. I do not think I have talked to a person who does not recognize that each and every State is experiencing these horrible problems with this prescription drug abuse. The facts will bear this out.

According to a report issued by the Centers for Disease Control in November, the death toll from overdoses of prescription painkillers has more than tripled in the last decade. The findings show that more than 40 people die every day from overdoses involving narcotic pain relievers such as hydrocodone, methadone, oxycodone, and oxymorphone.

These prescription painkillers are responsible for more deaths than heroin and cocaine combined. Yet still we are hearing from some folks who just do not believe that rescheduling hydrocodone is a good idea. I have said to those groups: Let's work together on a compromise that can address your legitimate concerns. If anyone has a concern with this amendment, just come to me and we will sit down with you and try to work through it in a most reasonable manner.

We have already offered a number of compromises to different groups in an effort to get this bill passed and signed into law. I want to clarify some of these concerns.

We have heard from some with concerns that making hydrocodone a schedule II drug will mean that patients with legitimate needs for those medications would face increased hurdles to obtaining them and that those patients would have to visit the doctor more often.

To them, I would say the following: Look at what the DEA did in 2007 to reduce burdens facing patients when it came to refills. They finalized a new rule allowing doctors to provide individual patients with a 90-day supply of any schedule II medication by issuing three separate prescriptions: one for an immediate supply and two additional prescriptions that cannot be filled until a certain specified date.

If they receive a 90-day supply, patients would only need to visit their doctor four times per year. If they have a chronic ailment, I would think those patients would want that type of evaluation anyway. That makes all the sense in the world to me, and I know to a lot of Americans.

If a practitioner is prescribing medication as part of a usual course of professional practice and for legitimate medical reasons, there is no numerical limitation on the quantity they can prescribe. Federal law does not limit physicians to providing only a 30-day supply of medication. The amount prescribed and length of treatment is within each doctor's discretion.

We have also heard from those who are worried that pharmacies could face increased operating costs caused by new storage requirements as well as increased paperwork. But there is no difference in Federal storage requirements between schedule III and schedule II drugs. Federal law requires that all controlled substances be stored and securely locked in substantially constructed cabinets.

As for more paperwork, pharmacies are already doing paperwork on their current schedule II drug orders. All this amendment would require is including an additional line on the existing form that specifies how many hydrocodone combination pills they are ordering.

The bottom line is, we have to recognize this is a very addictive drug. As a schedule III drug, hydrocodone is very available to people who might not use it for the right purposes but for elicit purposes. All we are saying is give us a chance to protect some of the most vulnerable people we have, especially our young people who are addicted to these prescription drugs.

Look at all of the people who support this amendment, the folks who are out there on the front lines trying to keep our society safe and fight the war on drugs so that we can all be in a better society and more protected. We have groups such as the Fraternal Order of Police, the National District Attorney's Association, the National Narcotics Officers' Association, the National Troopers Coalition, the National American Society of Addiction Medicine, the National Association of Drug and Alcohol Interventionists, the West Virginia Medical Professionals Health Program, the Drug Free America Foundation, Inc., the National Coalition Against Prescription Drug Abuse, and the Prevention Partnership.

These people are on the front lines. They are saying this amendment is needed. This will help them immensely fight this war on drugs. Those are the people who are out there helping us every day in society.

We are willing to sit down and work with people if they have legitimate concerns. But if the concern is that this amendment interrupts their business plan, I hope they would rise above their business plan and be an American first. What we are trying to do is good for this country. It is good for each one of our States. I know it would be good for the State of West Virginia and the Presiding Officers's State of Vermont for generations to come.

We will be working hard and we will be protecting them for the quality of life as Americans. I am not trying to put anyone out of business. I am a businessperson myself. I appreciate the hard work of businesses all across this country and the risks they take and the dedication they have. But when we have a problem, we have to fix it. We have a problem. This amendment is not going to solve all of our problems, we recognize that. It is not going to eliminate prescription drug abuse once and for all. But it does give us one more tool to fight the drug abuse problem we have in this country.

To get this passed, it is going to take the voices of the public—not just the voices in this Chamber or across the Capitol but the voices of the public, the voices of people who have seen what it has done to our families, to our children, and our communities. We need their voices saying: We cannot stand by and watch this happen any longer; voices such as those from Oceana Middle School in Wyoming County in the State of West Virginia who participated in a letter-writing campaign to their elected leaders asking for help with a drug epidemic.

One of them wrote this to me:

My town, Oceana, has an issue about drugs. I write this letter to you because I hope you can do something about it. In 2006, my godmother died of an overdose. She was the only person I could talk to. Drugs make people act in bad ways, and if something doesn't happen about them, then our town will be in worse shape.

Mr. President, I have been there many times. As a young person in college, my roommate was from Oceana. It was one of the most beautiful cities I had ever seen 40 years ago, but you would not recognize it with what has happened. These are young middle-school children crying out for help. They are afraid to go out in the streets.

This is happening all over America. These students want a better life for their parents, their siblings, their friends, and for their communities. Also, they want a better life for themselves. They are willing to fight, and we should be willing to fight for them. That is our job and what we were sent here to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I come to the floor of the Senate today to speak about a number, a number that has a particular significance for us here, and that number is 400. Why is 400 an important number at this point in our history? What is important about 400 is that it is the number of parts per million of carbon dioxide that has been measured this spring in the Arctic.

This is a first. We have never hit 400 before. For 8,000 centuries mankind has inhabited this planet within an atmospheric carbon dioxide range of 190 to 300 parts per million. That is the range, the bandwidth, within which we have lived.

How long is 800,000 years? It is a pretty darn long time. I don't think there are any human remains or artifacts that go back further than 200,000 years. If we go back more than 10,000 years, we are only seeing the very beginnings of agriculture, where people are beginning to scratch the soil and plant things. For longer than our species has effectively inhabited this Earth, we have been in this happy bandwidth that has supported our lives, supported congenial climate for human development.

We are out of that now for the first time in that period—800,000 years—and we are not just a little bit out of it. We didn't go to 302 or to 350. We have now crossed 400, and we are still going. We are still going, and there is no end in sight.

We continue to dump gigatons of carbon dioxide into our atmosphere every single year, and we continue to subsidize the people who do the dumping. At least in this building, and probably in the boardrooms of ExxonMobil and a few other places, we studiously ignore the facts that are right before our faces.

Here are just a few stories from the past week or so: A June 4 story in the New York Times reported that ''climate change threatens power output.''

Why would a warming climate change threaten power output? It is because warmer waters, when they are pumped through powerplants, don't provide the same cooling capacity. So if we are going to keep plants from overheating, we have to dial back the power output. For places such as the heavily developed U.S. Northeast, we can be pretty close to our margins from time to time, particularly when air-conditioning loads are high in the summer, and those hot days increase the risk of power cutbacks or conceivably even power outages.

A June 5 story in the U.S. News and World Report described a recently published article in which several European public health experts wrote that climate change could alter patterns of food availability and change disease distribution, all in ways that could harm human health.

If we want an example of how the change in climate changes the way things move around on this Earth, we have to look no further than the pine beetle, which is decimating our traditional western forests because the winters are no longer cold enough to kill off the larvae. As the warmth moves ever northward, so do the larvae, and we can fly over mountains and look down and see the brown wasteland of trees that used to be green pine forests.

NOAA reported that the lower 48 States just experienced the warmest May on record. The national average temperature for this spring—March through May—was 5.2 degrees above the 20th century's long-term average, surpassing the previous warmest spring ever, in 1910, by 2 full degrees.

Some States are warming faster than others, and Rhode Island, unfortunately for us, is at the top of the list. Climate Central, a research organization, crunched averages of the daily high and low temperatures from the National Climatic Data Center's U.S. Historical Climatology Network of weather stations. Their recently published report determined that over the past 100 years, Rhode Island has actually warmed the fastest of any State. This has terrible consequences for us, from shifting our growing season to harming the cold-water fish we catch in our warming Narragansett Bay.

As an aside, when my wife was doing her graduate research out in Narragansett Bay, she was studying the interaction between winter flounder and a shrimp that lives in the bay called Crangon septemspinosa. The reason that was important then was because winter flounder was a huge cash crop for our Rhode Island fishermen. It hasn't been that long since she did her graduate research, and winter flounder has fallen off as a cash crop for our fishermen. Narragansett Bay has warmed. The water temperature is up nearly 4 degrees, which may not seem much to terrestrial beings like us when we jump in the water and it is 64 degrees instead of 60 degrees. Does that really make a difference to us? No. But for the fish for whom that is their entire ecosystem, that has shifted and

has demolished the winter flounder fisheries, which are down something like 10 times.

Many people understand that there is a connection between carbon pollution in our atmosphere and these warming temperatures. But it is becoming incontrovertible that these things are happening. The science behind this is rock solid. People say there are questions about the theory. No. No, there are not. There are questions about some of the complicated modeling that people go through. But the theory has been clear since the time of the American Civil War. The scientist, John Tyndall, determined that increasing moisture and carbon dioxide in the atmosphere had a blanketing effect that kept heat in, trapped heat on our planet. That has been basic textbook science for a century. It has never been controverted. It is a law, essentially, of science. Yet there are special interests who try to deny that.

Set against those special interests is about as unanimous a coalition from science as has ever been assembled. Virtually every prestigious scientific and academic institution has stated that climate change is happening, and human activities—specifically our reckless release of carbon pollution—are the driving cause of this change.

In 2009, there was a very clear letter, signed by the American Association for the Advancement of Science, American Chemical Society, American Geophysical Union, American Institute of Biological Sciences, American Meteorological Society, American Society of Agronomy, American Society of Plant Biologists, American Statistical Association, Association of Ecosystem Research Centers, Botanical Society of America, and on and on. Here is what they said in pretty darn hard-hitting words for scientists:

Observations throughout the world make it clear—

''Clear'' is the word they used—

that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver.

Not observations throughout the world make it ''likely'' that it is occurring, and not ''potentially'' indicates, and not the greenhouse gases emitted by human activities ''might be'' the primary driver. It is ''clear'' it has demonstrated that they are the primary drivers. They go on:

These conclusions are based on multiple independent lines of evidence—

Here is what we might call the sockdolager—

and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

In a nutshell, if you are looking at the actual peer-reviewed science and being objective—if you are not putting your thumb on the scale—contrary assertions are inconsistent with that. You are basically making it up.

So that is a pretty powerful statement. The argument that the jury is still out on climate change is a false and bogus argument. The jury is not out. In fact, the verdict is in. The effects are obvious. They surround us every day, and we need to take action.

I have been on the Senate floor with Senator FRANKEN before, and we have talked about this. He makes a wonderful point, which is that 97 percent of the climate scientists agree that this is happening, it is happening because of our carbon pollution, and we need to do something urgent about it.

Three percent question it. That is 97-to-3 odds. We are asked to avoid taking any action, not to worry about it because there is doubt and debate. Translate that to real, ordinary human life, not this peculiar political world we are in here.

Let's say someone has a child, and the child appears to be sick. They go in to see the doctor, and he says: Yes, your child is sick, and she is going to need treatment.

They say: Yes, but treatment is expensive, and it might be unpleasant. I will tell you what, I am going to get a second opinion.

So then they go to another doctor, and he says the same thing—that their child is sick and will need treatment. They say: Well, two opinions are kind of a lot, but let's just be sure and get a third opinion. That doctor says the same thing too.

What would we think of the parents who did that 100 times, who were told by 97 out of 100 doctors that the child was sick and needed treatment, and they said: You know what, there is doubt about this. I am not sure, so I am not going to give my child the treatment they need.

It is a preposterous example, isn't it? It is an absolutely ridiculous point of view for the parent to hold. Yet that is exactly the point of view we are being asked to hold to deny and delay the steps we have to take to protect us, our children, and our country from the damage that is being done, frankly, by ourselves—the polluting interests that we don't take adequate steps to put on the right track toward a successful and clean energy future.

The last thing I will say is on that exact point. The more we depend on fossil fuels, the more we depend on a diminishing resource that pollutes our country. It is a diminishing force that goes up under the laws of supply and demand, and in practice, and right now, forces us to engage with foreign oil-producing countries that do not have our best interests at heart. We send our dollars—hundreds of millions of them—into their treasuries so that money can filter out into organizations that actually wish to do us harm. That is not a great state of affairs.

The alternative is a clean energy future where American homes are more efficient. We have replaced windows and added insulation and improved boilers. We have created innumerable jobs through all that work, and we have paid for it with reduced energy costs. It pays for itself. Sometimes it pays for itself in 1 year, sometimes in 2 years, sometimes in 5 years, but it pays for itself and it creates work.

We are in a battle right now for clean energy technologies. It is an international competition. It is us against China, us against India, us against the European Union. Every single one of the other countries gets it, and they are trying to push resources onto their clean energy industries so they can lap us in this race, so they can get so far ahead of us that we become the world's biggest global consumer of clean energy, not its biggest manufacturer.

We invented the solar cell. Fifteen years ago, we made 40 percent of all the solar cells in the world. I think we are down to 7 percent now. The top 10 wind turbine companies in the world include one American company—one. And by knocking down the production tax credits, by eliminating the 1603 Program, by subsidizing Big Oil like crazy, people in this building are doing their very best not to help us in the race against foreign competition but to put weights in the pockets of American companies, to tie their shoelaces together, to interfere with their ability to compete. They do not see it yet as international competition. They are so tied to the fossil fuel industry that they only see it as competition between fossil fuels and clean energy, and in that battle they want to be with the fossil fuel energy. They do not see the future. They do not see how important these technologies are going to be in batteries, in wind, in clean energy, and in all these areas where we can not only command our energy future by building and creating the power we use and unhinge ourselves from these foreign dictatorships that run off oil economies, but we can improve the future and the safety of our planet by dialing down the pollution.

My State pays a particular price. We are downwind of the midwestern polluters—the big utility companies, the big manufacturing companies, the ones that have built thousand-foot-high smokestacks for the specific purpose of shoving as much of their pollution as high in the atmosphere as they can so that it doesn't rain down on their States—not on Missouri, Ohio, or Pennsylvania—but that it rains down on Rhode Island, on Massachusetts, on Vermont, and on other States.

I was here earlier this morning talking about the mercury rule. We have ponds and lakes and reservoirs in Rhode Island where it is unsafe to eat the fish you catch because of mercury poisoning. It is unsafe everywhere in Rhode Island to eat the fish you catch if you are a child or an expectant mother. Nobody can safely eat the fish you catch in these ponds because there is so much mercury in them. How did the mercury get there? How did the mercury get there? From pollution out of the smokestacks dumped down on our State. And there is nothing we can do to prevent it other than to support the EPA in these mercury-limit rules.

There is a real cost to continuing down this fossil fuel path. My home State pays it all the time. And when it comes time to reap the whirlwind of storm activity, of sea level rise, coastal States such as Rhode Island will pay a particularly high price.

I am going to continue to come to the Senate floor. This is not a popular topic. The Presiding Officer, Senator SANDERS of Vermont, is eloquent, articulate, and a constant ally on these subjects. There are a handful of us who are regulars on this subject, but I think a great many of my colleagues and virtually everybody on the other side of the aisle would just as soon wash their hands of it, forget about it, pretend it is not happening, and continue to sleepwalk toward disaster. So I will keep doing this. It is important to my State. I believe it is important for our country.

I appreciate the attention of the Presiding Officer and those who have the attention of the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WICKER. I ask unanimous consent to speak as if in morning business.

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

NATIONAL SECURITY LEAKS

Mr. WICKER. Mr. President, I rise today to express my serious concern about a matter of national security. It is a matter that is increasingly more visible with the American people. It is a matter that they are more and more concerned about as they hear more. It is an issue that is not going away until it is properly investigated by the executive branch of this government. That, of course, is the recent news publications that discussed details of counterterrorism plans, programs, and operations of our government. These publications refer to specific counterterrorism military and intelligence activities that are among the most classified and highly sensitive national security operations involving our military and our intelligence community. The leaks of this information constitute a grave breach of our vital national security interests.

The President, in his press conference last Friday, attempted to distance his administration from these damaging leaks, stating, ''The notion that my White House would purposefully release classified national security information is offensive.''

The matter is certainly offensive and needs to be fully investigated.

I must point out that the President did not explicitly deny that members of his administration were responsible for leaking classified or sensitive information to the media. As a matter of fact, so many of the news reports, quite frankly, point to members of this administration for these damaging and criminal leaks.

Any mishandling of classified material must be taken with the utmost seriousness. The authors of these publications cite unnamed senior administration officials and Presidential aides as their sources. We need to know the names of these senior administration officials, we need to know the names of these Presidential aides, and we need to know, quite frankly, if they were engaged in criminal breaches of our espionage and intelligence statutes.

Our men and women in the military and our intelligence community officials work under extremely difficult conditions. These leaks have put their lives in danger. These leaks have put their methods and their ongoing operations at risk. They need to stop, and they need to be investigated.

All individuals privy to the White House discussions regarding counterterrorism and intelligence operations hold security clearances at the very highest levels. Before being granted access to these classified items of information, individuals must undergo a thorough background investigation and receive extensive security training regarding proper procedures for handling classified materials. They are trained as to what they can say and what they ought not to say. They are trained as to what the law requires and what the law prohibits. It is clear that any potential leak of classified material was not an accidental slip of the tongue but a deliberate and brazen violation of Federal law, and we need to get to the bottom of this.

I will also add that we are not talking about an isolated instance of a leak. As the chair of the Senate Select Committee on Intelligence, Senator DIANNE FEINSTEIN, rightly observed last Wednesday, we are talking about what she described as an ''avalanche'' of leaks—an avalanche of leaks—on national security matters that have, in her words, put our Nation's security in jeopardy, to quote the chair of the Intelligence Committee.

Quoting from the chairman of the Foreign Relations Committee, Senator JOHN KERRY:

> A number of those leaks, and others in the last months about drone activities and other activities, are frankly all against national-security interests.

He goes on to say:

> I think they're dangerous, damaging, and whoever is doing that is not acting in the interest of the United States of America.

Yet, news reports say these reports come from senior administration officials. We need to find out who these administration officials are.

Then, further to quote Senator FEINSTEIN, whom I began quoting earlier:

> When people say they don't want to work with the United States because they can't trust us to keep a secret, that's serious. When allies become concerned when an asset's life is in jeopardy or the asset's family's life is in jeopardy, that's a problem. The point of intelligence is to be able to know what might happen to protect this country.

I could go on and on.

I have joined 10 of my colleagues in cosponsoring a Senate resolution that urges the U.S. Attorney General, Eric Holder, to appoint an independent special counsel to investigate classified information leaks by the administration. Yet instead of a special counsel, the Attorney General has merely appointed two Justice Department attorneys to investigate the leaks, U.S. attorney for the District of Columbia, Ronald Machen, and his counterpart in Maryland, Rod Rosenstein.

Although I have no question about their abilities, the appointment of these two Obama administration officials is unacceptable and raises questions as to their independence. A truly independent investigation would almost certainly reveal any breaches of the criminal law concerning classified information essential to national security. A truly independent counsel would have his or her own prosecutorial discretion. If the administration leaks such information, the public has a right to know and the public has a right to be outraged. The lives of Americans and our friends have already been put at risk. The Obama administration cannot be expected to pursue a complete self-investigation of allegations of this magnitude. In the midst of an election, they simply cannot be asked to do this, especially when those responsible could well be members of the administration themselves.

Attorney General Holder is a principal on the President's national security team. Members of this team may very well have been the sources of these leaks—members of the Attorney General's team. I wish to ask this: Does the administration want the truth in this or is the administration simply looking for cover? What is it about an independent special counsel that frightens this administration? Is it the truth this administration is afraid of? Are Americans more likely to get the truth from a truly independent counsel or from U.S. attorneys who will still report directly to the Attorney General?

The administration's concern about special counsels is understandable. If an independent counsel investigation reveals proof of leaks for political gain, it will not be pretty and will not sit well with the American people.

This Sunday marks the 40th anniversary of the Watergate break-in. It started small, but as more and more people began to ask questions and as more and more people began to demand a true investigation, the truth finally was revealed and it brought down a Presidency. Early on in Watergate, a member of my political party, a member of President Nixon's political party, a former nominee for President, Barry Goldwater, came forward to the

American people and said: Let's get the truth out. No more coverups. Let's get rid of the stink and let's find out what was going on.

Members of my party should have heeded the words of Barry Goldwater at that moment and perhaps the scandal could have been brought to light and people involved in the subsequent coverup would not have been asked to do so. Barry Goldwater was right.

Members of both political parties would be well advised to ask this administration to come forward, appoint a truly independent counsel to have a truly independent investigation of these breaches of national security. What I am talking about is evidence of criminal disclosures of national intelligence secrets, disclosures that have damaged our national security and continue to damage our national security. This issue is not going away. I urge the Attorney General, I urge my President, to ensure confidence in government, to appoint a special counsel to investigate and hold accountable anyone responsible for these flagrant violations of our national security.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from New Jersey.

JUDICIAL NOMINATIONS

Mr. LAUTENBERG. Madam President, I rise to challenge the obstinacy of our colleagues on the other side of the aisle to prevent us from doing anything that can help ordinary families in our country get back on their feet and succeed. As a matter of fact, it was very clearly stated by the minority leader, the Republican leader, to tell us that his No. 1 priority—imagine that, the leader of the Republican Party in the Senate, his No. 1 priority is to make sure President Obama is a one-term President. I ask, what good is that to the people who do not have jobs or the people whose mortgages are about to be foreclosed or their kids can't get an education no matter how smart they are because it is impossible to afford it? Imagine, stated proudly on the floor of this Senate, that the mission is to destroy the Presidency. Shame on him.

His No. 1 priority—not to create jobs, prevent another financial crisis or keep our children safe and healthy; it is just that cynical goal of destroying the Presidency, no matter how much harm, no matter how much pain these actions inflict on our general population. It is a disgrace.

We have seen what the Republicans are willing to do to accomplish this goal. They brought our Nation to the brink of default. They shut down the Federal Aviation Administration. They had to be dragged kicking and screaming to extend the payroll tax cut—just to name a few of the most egregious examples.

Now the Republican mission appears to be punishing the American people with longer waits in courtrooms for judgments to be concluded. There are currently 74 Federal judicial vacancies waiting to be filled. In other words, nearly 1 in 11 Federal judgeships across this country is vacant. These vacancies are not some abstract problem only lawyers and academics care about. Judicial vacancies deny everyday Americans and businesses the justice and redress our Constitution guarantees. Millions of them have had their cases delayed. At a time when our economy is making a fragile recovery, we cannot afford to have a legal system that makes it more difficult for businesses to get legal judgment, certainty about their rights and responsibilities, to move their operations, for instance, to full gear, perhaps.

But now we have learned the Senate Republicans are committed to making matters even worse. Roll Call reports that at yesterday's weekly luncheon of the conservative steering committee, Minority Leader MCCONNELL decided to halt—stop all circuit court confirmations. How can our democracy function when we cannot even put judges in the courtroom?

The very next nominee in line to be confirmed for the circuit court is a highly qualified nominee from New Jersey and we need her on the bench now. Magistrate Judge Patty Shwartz has been nominated to serve on the Third Circuit Court of Appeals. Her nomination was favorably reported by the Judiciary Committee on March 8, nearly 100 days ago. They refused to let us take it up. For more than 3 months she has waited patiently for a confirmation vote. She is anxious to get to work and we need her, while the Republicans in the Senate play games with the confirmation process.

Now that Judge Shwartz is on the verge of receiving a vote and filling a critical vacancy, the Republicans have pulled the rug out to make sure she does not sit there. It is not fair to the judge—to Judge Shwartz or to the people of New Jersey, Pennsylvania, and Delaware who deserve to have a fully staffed Federal bench. It sends a particularly noxious message to the women of this country. If confirmed, Patty Shwartz would fill a void, and she would be only the second woman ever to represent New Jersey on that appeals court.

This obstruction is especially outrageous, given the record of skill, confidence and admiration Judge Shwartz has earned in the legal community. Her nomination has received strong bipartisan support in our State. Her supporters include Republican Gov. Chris Christie. He is a former U.S. Attorney of New Jersey.

He says:

> Judge Patty Shwartz has committed her entire professional life to public service, and New Jersey is the better for it.

That is his statement. If Governor Christie and I agree on someone, you know she's really got to be good.

We are not the only ones who feel so strongly about Patty Shwartz's stellar qualifications for the bench. John Lacey, who is the past President of the Association of the New Jersey Federal Bar, said that Judge Shwartz ''is thoughtful, intelligent, and has an extraordinarily high level of common sense.''

Thomas Curtin, chairman of the Lawyers' Advisory Committee for the U.S. District Court of New Jersey, said: ''Every lawyer in the world will tell you she is extraordinarily qualified, a decent person and an excellent judge.''

The American Bar Association clearly agrees. They gave her their highest rating of ''unanimously well qualified.''

A review of Judge Shwartz's experience shows why she has earned such respect and praise. Since 2003, Patty Shwartz has served as a U.S. magistrate judge in the District of New Jersey, where she has handled more than 4,000 civil and criminal cases. She graduated from Rutgers University with the highest honors, from the University of Pennsylvania Law School, at which she was an editor of the Law Review and was named her class's Outstanding Woman Law Graduate.

As Governor Christie said, Patty Shwartz has devoted her entire career to public service. Preventing her from doing so will only hurt the American people, people in our area, in Pennsylvania, New Jersey, Delaware. It will only hurt those people seeking justice and our very system of democracy. It has often been said justice delayed is justice denied. It is a lesson people in New Jersey and all over the country are learning and it has to stop. All Americans should be aware of the price they pay for the obstruction of the Republicans on their side of the aisle. When these confirmations are blocked, it is not just nominees who suffer, the justice system suffers under the weight of vacancies and the American people suffer longer waits for justice in overburdened courts. It is time for Republican politicians to stop blocking votes on those well-qualified nominees and allow the Senate to confirm them without further delay.

Make no mistake: I take very seriously the Senate's constitutional duty of advice and consent regarding Presidential nominees. I do not believe the Senate should rubberstamp judicial nominees without consideration or deliberation. However, what we see today is an unprecedented level of obstruction in confirming judges.

At this point in the term of President George W. Bush's Presidency, the Senate had confirmed 179 judges, 28 more than the 151 of President Obama's nominees who have been confirmed today. President Obama's nominees have been forced to wait approximately four times as long as President Bush's nominees to be confirmed after being favorably reported by the Judiciary Committee. When we had the numbers favoring our majority, we didn't permit delays like this. We would never use that as a punishment for a Presidency we disagree with.

As a result, the vacancy rate is nearly twice what it was at this point in

President Bush's first term. These delay-and-destroy tactics cannot be what our Founding Fathers had in mind when they gave us the power of advise and consent.

I am the son of immigrants who came to this country, and I got the message often from my parents and my grandparents to come to America and find a better way of life than they had in Russia or Poland, their birthplace. I view our justice system as the Nation's premier institution. It demonstrates so well what America is about.

I am proud that a courthouse in Newark, NJ, bears my name. It has an inscription that I authored. We spent a lot of time talking about the inscription and what it would look like. I came up with this: ''The true measure of a democracy is its dispensation of justice.''

When people walk into that courtroom, they have to know that they have an equal chance at a proper decision just like anybody else. There shouldn't be the discrimination that exists when we don't fill vacancies that are begging to be filled with qualified candidates. All in this Chamber know when the dispensation of justice is obstructed and delayed, our democracy suffers.

I plead with our Republican colleagues: Stop the obstruction, allow the Senate to vote on Judge Patty Shwartz's confirmation without further delay. Put off your attempt to discredit President Obama's tenure as President. That doesn't fit in here. If you want to do it in the political mainstream, and you want those wild gestures and those ridiculous claims that they want to destroy President Obama's tenure, don't do that. Don't do that to the American people. Be fair. Do your job, and let's get on with it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

STUDENT LOANS

Mr. REED. Madam President, we are running out of time. The interest rate on subsidized student loans is set to double in just over 2 weeks. This will hit middle-class families hard at a time when they are dealing with the devastating effects of the most severe recession that we have witnessed in our lifetime.

Earlier this week the Federal Reserve reported additional sobering news. Between 2007 and 2010, median family wealth declined by nearly 40 percent. Median family income declined by nearly 8 percent, and the share of families with education-related debt rose from 15.2 percent to 19.2 percent.

This is no time to increase the interest rate on need-based student loans on the more than 7,000 moderate and low-income students who rely on them to go to college. What we have seen is a middle-class that in terms of wealth and income has been shrinking dramatically. Ironically—perhaps not ironically—the very wealthy have seen income and wealth increase. However, for the vast majority of Americans, they have seen their economic position deteriorate.

Closely allied with economic opportunity and the idea of making your way in this country is the necessity to go on to higher education. We have been preaching that. That is what our parents told us, go on to college. They said, when you go to college, you will be prepared to go into the workforce, increase your family income, contribute more to your country. Yet now we see a situation where not only is there a compression in middle-income wealth and income, there is also a staggering amount of student debt. It is almost $1 trillion. In fact, I heard reports suggesting that it eclipsed credit card debt in terms of what households in America are holding.

There is a generation of college students who have graduated and are struggling with this debt. The worst thing we can do now is double the interest rate on those who need more loans to finish their school and put an even greater burden on them and their family as they go forward.

We need to pass this legislation that will prevent the doubling of interest on student loans, and we need to do it before July 1. We are looking at a period of time when interest rates are very low. The Federal Reserve is charging financial institutions somewhere around 1 percent or less to borrow money, and yet we are going to students and saying, the interest rate used to be 3.4 percent, now it will be 6.8 percent. That seems not only incongruous but incomprehensible, that we will allow the interest rate to double, particularly in this environment.

Students' families can't afford this increase. They are stretched too thin already. Every statistic—forget the statistics. Talk to people back home in New Hampshire or Rhode Island or New Jersey, and they will tell you it is tough. There are children who are moving back in with their families because they are struggling to find a good job so they can pay their student debt and get by. This is not the time to double the interest rate on these loans.

It is an issue of fairness. It is an issue of the future of this country. It is an issue of avoiding innumerable personal tragedies. We were just on a conference call when a woman called in and said she is involved with many students who have graduated in the last few years and they are literally at their wit's end that they can't pay their debts. They don't have jobs that will give them the chance to move on. They are saddled with debt. How will they even begin to think of starting a family and buying a home? That was something my generation sort of took for granted in their mid twenties. We have to deal with this issue. This is the first step.

According to Georgetown University Center on Education Workforce, over 60 percent of jobs will require some post-secondary education by 2018. No longer is higher education some nice thing to do, it has become a necessity to get jobs that will provide for a family. Yet in 2010 only 38.3 percent of working-age adults have a 2-year or 4-year degree. So we know there is a gap already. We have 40 percent of people with a post-secondary education, and experts are telling us we will need 60 percent by 2018, and that is just 6 years away. And we are proposing to make it harder to pay for college? Again, it does not make any sense.

That is why last January, working with my colleague JOE COURTNEY in the House of Representatives, we introduced the Student Loan Affordability Act. We saw this coming. We knew we had to prevent this increase. Initially the response from our colleagues on the other side was, no way. In fact, they voted for two budgets that assumed the interest rate would double, therefore giving more resources for tax cuts and other preferences that certainly won't be as effective to help the middle class as giving a youngster a chance to go to college. But we continued to push. With the President and students and families and student organizations across the country, I think we have made some progress. We have seen at least a change in rhetoric.

Governor Romney said he was in favor of keeping the rates low. There has been no specifications on how to do this or urging on how to do this, but at least conceptually there seems to be agreement on that one point. The Republican leaders then followed suit saying, yes, we have to keep this interest rate from doubling. But we have not seen the actions to match these words.

They initially made a proposal to keep the interest rates low by going after preventive health care, and that is a nonstarter. I hope we all understand that, one, if we are going to improve the quality of health care in this country, we have to emphasize preventive care. By the way, if we are going to bend that proverbial cost curve, we better start to do more prevention than treatment because it is a lot more cost effective to prevent than treat disease.

Then they proposed another offset that would take resources from low- and middle-income families through various programs, taking from one pocket of a low- and middle-income family and giving it to them in the education pocket. That didn't work.

They continued to resist a proposal we made to pay for it because we do understand in this environment we have to be fiscally responsible. We proposed to close one of the most egregious loopholes in the Tax Code. There is a provision that allows high-paid lobbyists, high-paid lawyers, high-paid consultants to avoid their payroll taxes, Medicare taxes, and other taxes by forming a subchapter S corporation. At the end of the year they give themselves a dividend, which is not wages subject to these taxes, and is actually

treated at a very preferential tax rate. This is such an outrageous loophole that it was condemned by Bob Novak, late conservative columnist. It was condemned by the Wall Street Journal. It was condemned by everyone, but it was not something they could accept.

Well, we have moved forward. We have put a new offer on the table, led by Leader HARRY REID, and that would effectively help with respect to pension liabilities. First, it would give employers more predictability in terms of their contribution by allowing them to smooth out the interest rate which they assume in their contributions to the fund.

If you are trying to fund a pension liability over many years, you have to put in principal, but then you have to assume an interest rate to see if that principal will grow to an adequate amount. So the present law looks back about 2 years, and this is a remarkably low interest rate environment. So with low interest rates, they have to put more principal in. This way they could look much farther back, smooth it out, and take a more realistic interest rate that will reflect not just the last 2 years, which one would argue is very exceptional in terms of interest rates, but look at something that is more representative of the 25 or so years that they must provide for in their pension fund. In fact, this is a provision that employers think is very important to them.

The other side is to provide an increase of premiums paid to the Pension Benefit Guaranty Corporation, the insurance fund for defined benefit pension plans. Too often today the PBGC has to step in where companies go bankrupt and their pension funds are not adequate to pay for even part of the bona fide liabilities that they owe to workers, many of whom spent years in their employ and are depending on their pension.

This is a very balanced approach. It is an approach in the past that has had bipartisan support. I hope we are reaching a point now where we can come together. This is an incredibly difficult issue for families across this country.

I have heard pleas from Rhode Island families to fix this. I received letters and calls. One of them came in and said:

> Please continue to fight for keeping the interest rate of Stafford loans down to 3.4 percent. It is difficult enough to pay for college. With unemployment so high for recent college graduates, our financial future seems bleak. My parents and I have taken loans to pay for my and my sister's tuition. We are from a middle class family. We appreciate your support and help with this issue.

Those words are more eloquent than mine.

Let's just get this done. We have no time to waste. July 1 is almost upon us. We have 2 weeks. Let's come together. Let's help people across this country and help our country.

Thank you, Madam President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Wyoming.

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

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

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

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

THE ECONOMY

Mr. BARRASSO. Madam President, the President of the United States earlier today was in Cleveland. He spoke for 54 minutes, yet he said almost nothing—at least certainly nothing that most of us have not heard before.

It was 2 years ago this very weekend that the White House announced the start of what it referred to as the ''recovery summer.'' That campaign was an effort to convince the American people that the Obama administration's policies to create jobs were working.

David Axelrod, who was the senior adviser to the President, said at the time, talking about the summer of 2010, ''This summer will be the most active Recovery Act season yet.'' Again, that was the summer of 2010. Treasury Secretary Tim Geithner wrote an op-ed in the New York Times, and it was entitled ''Welcome to the Recovery.'' Again, that was 2010. Now here we are, 2 years later, and Americans are still waiting for a real recovery. The ''recovery summer'' failed to produce results because it was never more than just a cheap slogan. It was designed to hide the fact that an unaccountable administration had no real solutions.

Instead of working to create a healthier economy, President Obama has offered more excuses, more gimmicks, and more empty promises, and he continues to say the economy is about to turn the corner.

This past March President Obama said things would get better soon. ''Day by day,'' he promised, ''we're restoring this economy from crisis.'' We have heard this all before.

In February 2009 the President said his stimulus bill was ''the beginning of the first steps to set our economy on a firmer foundation, paving the way to long-term growth and prosperity.''

In April 2010 he said, ''Our economy is stronger; that economic heartbeat is growing stronger.''

In January 2011 he claimed that ''the next two years, our job now, is putting our economy into overdrive.''

Now, after disappointing jobs numbers for May of this year, when just 69,000 jobs were created, the President once again promises that ''we will come back stronger.''

It is a shame that our economy doesn't run on the President's rhetoric. Saying that things will get better does not make them better.

Well, the President's record speaks for itself. For starters, we all remember early 2009 when the incoming Obama administration told the American people that its stimulus plan would keep unemployment below 8 percent. That is what they said—it would keep unemployment below 8 percent. Instead, we have now had 40 straight months, 40 consecutive months with unemployment over 8 percent. By now, unemployment was supposed to be even much better because the administration had said that by mid-2012—where we are right now, today—their projections were that unemployment would be below 6 percent if the stimulus bill passed. Well, the stimulus bill passed. I voted against it. Instead, unemployment has ticked up again in May to 8.2 percent.

Last month one official at the Federal Reserve said it might take 4 to 5 more years to get unemployment down to 6 percent, which is where the President promised it would be today. The latest jobs report also said that over 23 million Americans are unemployed or are working at less of a job than what they would like.

President Obama said the other day that ''the private sector is doing fine.'' He said that in a nationally televised press conference, that the private sector is doing fine. He went on to say that it was only government jobs that were lagging behind. Well, I think many of these 23 million-plus Americans who are unemployed or underemployed would absolutely disagree with this President.

Under the Obama economy, since early 2009 we have lost 433,000 manufacturing jobs; 79,000 real estate jobs have been lost; and 160,000 jobs in communications industries, such as wireless carriers, have been lost. We have lost 932,000 construction jobs. These may sound like a lot of numbers upon numbers, but behind each one of these statistics is a person—a homebuilder, a phone salesman in the mall, a real estate agent in our communities—real people who have lost the private sector jobs their families rely on to put food on the table, a roof over their head, and to help their kids get through school.

Many Americans have gotten so discouraged by the Obama economy that they have actually given up looking for work entirely. Those Americans who have not given up are finding it more difficult to get jobs. Even if they are trying to find a job, they are finding that their job search is taking much longer than they ever imagined. Over 5 million Americans have been searching for work for more than 27 weeks. That is over 5 million Americans who have spent more than half a year looking for work. The unemployed now spend an average of nearly 40 weeks looking for work—double the average when President Obama took office. That is the

equivalent of losing a job on New Year's Day and not finding work again until October.

So why are the jobs so scarce? Well, it is because President Obama's policies have done far too little to help our struggling economy, and in many cases his policies have actually hurt the economy and made things worse. Contrary to what President Obama believes, the private sector is not doing fine, and the problem is not just that we don't have enough bureaucrats.

Growth in America's GDP for the first quarter of 2012 was just 1.9 percent. That is nowhere near the level we need for a healthy economy. During past recoveries from economic downturns, other Presidents have presided over much faster growth. After the recession of the early 1980s, President Reagan's economy grew much faster. Well, there is a simple reason why, and it has to do with the policies coming out of this President's administration.

President Obama keeps repeating that we face economic headwinds. Well, the biggest headwinds we are facing come from the President's own economic policies. The American people understand this. They read the papers. Headlines such as the one from the Washington Post on Tuesday, just 2 days ago—''Families See Their Wealth Sapped.'' The American people read about the bad economic data saying that durable goods orders were down 3.7 percent in March. People know that when the manufacturing sector, which is an important source of jobs, slows down dramatically, it does not bode well for job growth in other sectors of the economy.

When people hear this drumbeat of bad economic news, it explains why the Consumer Confidence Index fell again in May. When we ask people if the country is on the right course, the majority say it is not on the right path. When we ask if they think the President is doing a good job with the economy, they say no, he is not.

Confidence is down not just because the American people follow the news and know what is going on in the country, it is because they also know what is going on in their own lives—what they are seeing at home and what they are seeing with their families. For many people, they are not earning as much as they had earned in the past. The median household income has fallen by over $4,000 since President Obama took office. Meanwhile, the actual costs of everyday living continue to rise. More and more people every day are finding that for them and for their families, they just can't keep up.

Today there are more than 46 million Americans on food stamps. That is 14 million more than relied on the program in January of 2009 when President Obama was sworn into office. Sadly, the Congressional Budget Office expects the number to go even higher over the next 2 years. Well, that is obviously the wrong direction, and it is a result of bad decisions and bad policies out of the President's administration. Those policies have contributed to the lower wages we are seeing, to higher unemployment we are living with, and to more people living in poverty. Those policies are contributing as well to the sagging home markets that threaten to keep millions of American families in dire financial straits for years to come. We all know President Obama faced a difficult economic situation when he took office in 2009. His failed policies have not healed our economy. Higher taxes, more bureaucracy, more borrowing, and more wasteful spending by Washington will continue to make things worse.

When we take a look at what is happening around the world, with Europe facing collapse and the global slowdown that threatens our economy, the President seems more concerned with his next election than with actually taking action to make things better. Alongside all the bad economic news, ABC News reported the other day that President Obama will continue his record-smashing fundraising schedule—record-smashing fundraising schedule. That is not the kind of leadership our economy needs today.

Republicans are focused on real solutions: making our Tax Code simpler, flatter, fairer for every American; reducing the debt and the deficit; ending overregulation, the redtape that is burdensome, expensive, and time-consuming; putting patients and doctors—their own doctors—in control of health care and not creating more Washington bureaucracy; and, of course, reducing our dependency on foreign oil and sending so much American money overseas.

Two years ago, when the Obama administration was putting out press releases and staging photo-ops to proclaim the ''recovery summer,'' Republicans were proposing real solutions to help create a healthy economy. When voters had a chance to compare the two approaches that November—November of 2010—Republicans earned control of the House of Representatives, and at that time they started passing a jobs agenda.

Democrats in the Senate still do not get it, and they have refused to even consider these bills passed by the House.

There are 27 jobs bills that have passed the House of Representatives on bipartisan votes. The bills are still today waiting for Senate action.

The President of the United States remains silent on these bills that would actually get people back to work. He is offering nothing but scare tactics, excuses, and blame.

He gave another speech today—this very afternoon—in Ohio and what he did was more of that: more scare tactics, excuses, and blame. Because in his mind, it seems it is always someone else's fault.

Imagine where our economy would be today if Democrats had been willing to accept commonsense Republican solutions 2 years ago. We would actually be in recovery today. We would have seen significant improvements to the economy. If Democrats had been willing to work with us, instead of giving speeches and pushing more wasteful stimulus spending, millions of more people would be working today across the country.

If President Obama had been focused on putting people back to work, instead of on keeping his own job, then today—today—in the summer of 2012, the private sector and the American people really would be doing fine.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleague for his remarks. I caught part of the President's statement this afternoon and have gotten a transcript of some of the things he said.

As ranking member on the Budget Committee, as someone who has wrestled very intensely with these numbers for 2 years, I was shocked, I say to Senator BARRASSO, by some of the things he said.

I would ask the Senator, based on the world we are in, how he reacts to the summary the Presidential adviser gave to the New York Times before the President's speech today, saying his plan ''focuses on education, energy, innovation, and infrastructure.''

First, does that suggest to the Senator spending?

Mr. BARRASSO. Madam President, I ask unanimous consent to enter into a colloquy with my colleague.

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

Mr. BARRASSO. Just talking about those things, isn't this the same President who lobbied this body, this Senate, to block the Keystone XL Pipeline that would have brought energy from our northern neighbor Canada to the United States, creating jobs on the ground here in terms of construction of that pipeline? So you are talking about energy, and you are talking about construction, and that was not government spending. Yet the President lobbied the Senate to block that.

Mr. SESSIONS. There would have been private growth and private investment—not an increase in our deficit.

But it goes on. In their summary of what the President was going to say, it said he favored a ''tax code that creates American jobs and pays down our debt.''

First of all, is the Senator aware that under the President's plan that he submitted to us—his budget—the lowest single year's deficit in the 10-year window is $488 billion—that we never come close to paying down the debt in the plan he submitted to us? And how can the President—this is an unfair question, but I will ask the Senator from Wyoming—how can the President say he has a plan that pays down our debt when the lowest single deficit he proposes is nearly $500 billion?

Mr. BARRASSO. I would say to my colleague, who is on the Budget Committee, who watches these things very

carefully, as I look at what the President proposed, it never got to balance, it never even addressed dealing with the large deficit, let alone the monumental debt. In the time we have been talking here in the last 4 or 5 minutes, we have continued to borrow money from overseas, specifically from China. We in the United States are borrowing at a rate of $2 million a minute. Nothing I have seen coming from the President or from the Democrats, as a matter of fact, in the Senate has dealt with any of those things, to the point that we have not passed a budget for the last 3 years in this Senate, which is irresponsible.

Mr. SESSIONS. It absolutely is.

Let me say this, in his speech—this is a quote from the transcript I have of it—he declared:

Both parties have laid out their policies on the table for all to see.

Isn't it a fact that the House Republicans passed a long-term budget that would change the debt course of America and three Members of the Republican Senate laid out budgets that would have balanced the budget in the United States of America, and that the Democratic leadership never laid out a plan, refused to lay out a plan, and violated a law—the Congressional Budget Act—by refusing to lay out a plan? Isn't that true? Or am I missing something?

Mr. BARRASSO. Well, that is exactly the way I see it. And I voted for the plan that was submitted by the House, which actually does get to a balance of our budget, and the plans of three of our Senate colleagues from our side of the aisle whose plans also get to a balance of the budget. I voted in favor of all of those. But not one Democrat in the Senate—not one Democrat—cast one vote in favor of any one budget, whether it was a Republican budget, whether it was the President's budget. Yet the President goes to Ohio today and gives a speech for 54 minutes—and it was supposed to be a big speech on the economy—and I heard nothing new, nothing we had not heard before, no new ideas other than to spend more money, at a time when we are $15 trillion in debt, and adding to that by the minute.

The President did make one interesting statement. He said some of the regulations that are coming out—he said all the regulations are not good. Well, who can do anything about it but the President; his regulations. And he has over 1,000 new regulations that have come out under his administration that are called economically significant regulations—regulations that have an impact to the economy of over $100 million. Those regulations, all of that redtape is putting people out of work. It provides so much uncertainty to the economy as to what is the next regulation that is coming out, where businesses do not have the certainty to go hire people. What is going to happen with the health care law? Is it going to be found constitutional or unconstitutional? I believe it is unconstitutional. What are the costs going to be to business?

In statement after statement that the President makes, it shows there is a fundamental question as to his understanding of how the economy works versus people who have been out in the private sector who have created jobs and have put people to work, who have written the paycheck, who have signed the front of the paycheck, who have hired folks and helped the economy in a community in a way that makes a difference and builds that community. Yet I do not see those things coming out of the President's speeches, certainly not today in Ohio.

Mr. SESSIONS. I thank my colleague for those insights because this is a bit disappointing. It is more than disappointing. The President said, again, that he has a plan, and he has a vision ''of how to create strong, sustained growth,'' and ''how to pay down our long-term debt.'' He does not have such a plan. His plan comes nowhere close to balancing the budget. In 10 years, the lowest single deficit he would have is $488 billion, according to the Congressional Budget Office—not me, the independent Congressional Budget Office.

His statement is not accurate. How can we have a bipartisan discussion on how to solve the sustained debt threat we have in this Nation if the President goes around saying his plan will help pay down our debt? It does not pay down the debt. It does not come close to paying down the debt.

He said that last year, and I grilled his Budget Director at a Budget Committee hearing. He could not defend that statement because it is indefensible. Nobody can defend that statement. And I say to any Member of this Congress, this Senate—a Democratic Member—I urge you to come down and tell me if the plan laid out by the President of the United States—the only plan we have seen, his budget—pays down the debt. It does not.

He goes on to say in this speech:

I've signed a law—

Forgive me if this is distressing to me, but we have been involved in the discussion a good long time. We have the U.S. Congress, including the Senate, and we have the President of the United States, and we all have a role in formulating an economic policy for America that will put our country on a growth path to eliminate the unsustainable debt course we are on.

The statement cited so often from President Obama's own debt commission—Simpson-Bowles—is: This Nation has never faced a more predictable financial crisis. Why? Because of the increasing debt, they said. The numbers are relentless. It is unsustainable. That is what it means. At some point, it means there will be a credit reaction, a financial collapse, or a reaction that will put us back into recession and distress. They pleaded with us to get off the path we are on.

So the President says:

I've signed a law that cuts spending and reduces our deficit by $2 trillion.

What does he mean by that? Well, I think most Americans can remember that last August we reached the debt ceiling. We borrowed so much money that we hit the limit of money the U.S. Government can borrow. The President asked Congress to raise that debt limit so he could keep spending and keep borrowing, and basically the Republican House and Members in the Senate—to the extent we had influence—said: Mr. President, we will raise the debt limit, but we want you to reduce spending some. So they agreed, after much debate, in the wee hours of the morning—at the latest possible time—to cut $2.1 trillion in spending. The President went kicking and screaming to that point. The Democrats pretended it was a disaster and Americans were going to sink into the ocean. That is what that was all about.

Here we came with this plan, and the President now claims it is his deal, that he cut $2 trillion. I remember how it went down, and that is not a fair thing to say. He signed that law because if he did not sign it, spending would have to be cut 40 percent immediately, because that is how much, out of every dollar we spend, we borrow. We are borrowing 40 cents of every $1 we spend.

So if we had not raised the debt ceiling, the U.S. Government would have had to immediately cut all expenditures by 40 percent. That is why we are on an unsustainable course. It is not a little bitty matter.

The President suggests, if you listen to his speech: Don't worry about it. I have a plan. We are moving along fine. You do not have to sacrifice. We are going to have more education, energy, innovation, infrastructure. More spending—that is what that means. Investments, they say—that means spending. But we do not have the money. This country is out of money. This is a serious time. We have to make some tough decisions, and we need a Chief Executive telling the American people the truth about where we are, rather than promising some balanced budget and paying down debt when that is nowhere in his plan.

He says:

My own deficit plan would strengthen Medicare and Medicaid for the long haul by slowing the growth of health care costs.

He has steadfastly refused to reform Medicare and Medicaid. Under this $2.1 trillion, the President insisted that Medicaid not receive a dime of cuts. And it did not receive a dime of cuts. The Defense Department gets a big time hammering under the cuts and the sequester. Medicaid—not a dime cut out of it. No reforms in Medicaid that would provide any benefit—anything other than to drive up the cost and increase the cost of Medicaid.

So how can he say that? And he has attacked Congressman RYAN, the chairman of the Budget Committee in the House, for actually laying out a vision to try to put Medicare on sound

footing, where it can actually be sustainable over time.

Congressman RYAN has the support of Senator WYDEN, a Democratic Member of the Senate. He has the support of Alice Rivlin who was President Clinton's budget director at OMB. Alice Rivlin basically agreed with the policy that Congressman RYAN laid out to save Medicare. What happened? The President called in Congressman RYAN and attacked him on the spot. They are still accusing him of having a radical scheme to destroy Medicare. Nothing could be further from the truth. It is a plan to strengthen Medicare, to save Medicare, and put it on a sound basis so that people working today can be confident that when they retire and become eligible for it, it will be there.

But we cannot create something from nothing. We have to have a plan that provides the funding for it. This is not smoke and mirrors. Nothing comes from nothing, I have to tell you.

One more thing. The President said, ''I signed a law that cuts spending and reduces our deficit by $2 trillion.''

Well, he was forced into signing that bill. Did he really want to sign it? No, he did not. We all know that. Anyone could tell that from reading the newspapers and how the negotiations went. Our big spenders resisted that dramatically.

How much is $2 trillion over 10 years? We planned to spend $37 trillion over 10 years, increasing the debt by about $10 to $11 trillion. This would have cut it from $37 trillion being spent to $35 trillion being spent. It meant we would have increased the deficit by only $10 to $11 trillion, I guess. Not nearly enough, but at least some step toward reining in soaring spending.

So the President bragged on that just a few minutes ago. He is bragging about it. What is the real truth? The budget he submitted eviscerates that agreement. The budget he submitted in February of this year—5 months after the agreement last August—would wipe out the entire sequester, would eliminate $1 trillion in cuts, and add more spending.

In fact, he would add, under that plan, $1.5 trillion more in spending than the Budget Control Act agreement he is taking credit for signing would have allowed to be spent. This is not a matter of dispute. This is a fact. The budget he has submitted wiped out more than half of the cuts that were in that agreement, and he had big tax increases, about $1.8 trillion in tax increases. So $1.6 trillion more in spending than we agreed to just last summer, and $1.8 trillion in more taxes.

Tax, spend. Tax, spend. That is this President's philosophy. If he wants to stand for that, campaign on that, run on that, well and good. Be honest with the American people. But do not come in and take credit for things he resisted. Do not come in and take credit for budget cuts that he proposed to eliminate. How can we have a bipartisan discussion to try to reach an agreement on what to do about the unsustainable course we are on if the President is going out and saying things that are not connected to reality? I think it is irresponsible. I really do.

I do not see how a President of the United States could possibly not spend a great deal of time with the American people explaining to them why we are all going to have to tighten our belts, that we do not have the money we wish we had, that we are going to have to do this. Is there some sort of political fear that big spenders will ultimately get caught if they tell the truth about how much debt their big spending has caused the country, so they just have to pretend it is not so?

Well, they said President Bush had big debt. He did spend too much money. I criticized him some on that, and none of us are perfect in this Congress. We all voted for things probably we should not have.

The largest annual deficit that President Bush ever had was $470 billion. That is big. It is a lot of money.

President Obama's deficits have been $1.2, $1.3 trillion all 4 years he has been in office, more than twice President Bush's deficits. He has been in office now 4 years. In the plan he has laid out, even assuming our economy continues to grow—as we assume in these budget analyses—he does not come close to balancing the budget.

Every year we are adding hundreds of billions of dollars more in debt. The lowest single year in his 10-year plan would add $488 billion more to the debt. According to the Congressional Budget Office, the interest on the debt soars. The largest single increase in spending is interest.

Interest last year was $225 billion on the debt, and in the 10th year of the President's budget the Congressional Budget Office projects that the interest in that 1 year—10 years from now—will be $743 billion, exceeding virtually every item in the government including the Defense Department.

This is not healthy. In May, at a fundraiser—he is going to a lot of those, but sometimes, somebody has to stay home in Washington and bring this wasteful spending under control. He was at a fundraiser in Denver and he said, ''I'm running to pay down our debt.'' He said: I am running to pay down our debt. Do not worry. Let me. I am going to pay down our debt.

Well, that is just not what the numbers show. No plan has been laid out other than his budget: to tax, spend, and keep the debt on the same level we were on if he had no changes at all in the budget situation.

I am not happy about this. It is very distressing to me that this Nation is facing a financial crisis. We are all going to have to recognize we do not have the money that we would like to have to spend as we would like to spend. I told some people this morning at a breakfast/luncheon, a group from the Air Force Association, that the defense people needed to know we do not have the money. We do not have the money. For years we are going to have to be tightening our belts.

But we can work our way through it. We can do the right things. Who knows, by producing efficiencies and encouraging productivity, we could get our country on a healthier course than we can imagine at this point. I actually think we could. But we have to be honest about the situation. We have to have somebody who stays in the office for a while and actually drives the restraints in spending and insists that every Cabinet Member, sub-Cabinet Member, GSA person going to a resort in Las Vegas who is spending the taxpayers' money, that they do it with restraint and that wasteful actions are eliminated.

That is the kind of leadership we need, and the American people need to be told, and we all need to understand, we just do not have the money we wished we did. So we will have to alter our spending levels for a few years, get this country on a sound path, and create confidence. That will come when the world knows that we have gotten off the unsustainable debt path and gotten on a path that is sustainable, are set on a sound path, a path that leads to prosperity, not a path that leads to debt crisis and decline, but growth, prosperity and freedom. That is what it is all about.

Forgive me if it is irritating to me. But I did conclude, after today's speech, that the President has made a decision that he is going to run to November. He is going to run on the fact that he is reducing the debt. That is what he has apparently said. ''I'm running to pay down the debt'' is what he said in Denver. He repeated that again today. So that has to be confronted.

If I am wrong, I ask any Member of the Senate to come forward and show me what in the President's plan leads to any conclusion that he has laid out a plan that would pay down the debt of the United States. I do not see it. I do not think it is close.

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

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

WORLD WAR II VETERANS

Mr. BAUCUS. Mr. President, George Washington once said:

> The willingness of future generations to serve in our military will be directly dependent upon how we have treated those we have served in the past.

Tomorrow, 95 World War II veterans will fly from Montana to Washington to see their memorial with their own eyes for the first time.

This trip is made possible by the Big Sky Honor Flight Program. Their mission is to recognize American veterans

by flying them to Washington, DC, to see their memorials at no cost.

These veterans, and the volunteers who helped send them here, say a lot about what makes the United States of America the greatest country on Earth.

Who are these veterans? Their average age is 90. They hail from all parts of our State—from Plentywood to Superior, from Miles City to Libby, and many places in between. Each veteran has a story to tell.

Shortly after the attack on Pearl Harbor, Bill Smith left his job as an accountant in Billings and volunteered to fly B–24 Liberator bombers with the 466th Bomb Group.

Bill went on to fly 30 missions over Europe from 1943 to 1945. He rose through the ranks and eventually took command of an entire crew.

On a typical day, Bill and his crew would rise at 4 a.m., eat a quick breakfast, and receive a mission brief. As crew commander, Bill was responsible for seeing to it that the bomber safely navigated enemy airspace, accomplished its mission on time and on target, and returned to base safely.

Bill's B–24 flew at 22,000 feet in subzero temperatures in nonpressurized cabins. Think about that. We are not talking about the cozy airplane cabins you and I are used to today. We are talking about open air, very loud and very cold cabins.

Imagine, if one can, doing all that with Nazi fighters on your tail. In one instance, incoming enemy fire shot the oxygen mask right off the face of one of the gunners on Bill's crew.

Bill is 96 now. When asked about his service, he said:

I am proud of what we did. I know we hit a lot of targets. That's what we were there for. We weren't there for a joy ride.

In March, I had the privilege of meeting Del Olson from Billings. Del was born and raised on a farm in Rapleje, Montana, which is a very small town.

In 1944, Del joined the Women's Army Corps as an airplane mechanic. The Women's Army Corps was the first female unit, besides nurses, to serve within the ranks of the U.S. Army. They were patriots and trailblazers. Similar to all trailblazers, their service didn't come without controversy.

Del didn't let the controversy get in the way of her mission. She dedicated herself to fixing up bomber aircraft in Texas, which was her job, including the B–24 Liberator that Bill Smith was flying over Europe.

Later in the war, Del moved to Bakersfield, CA, where she worked as a nurse caring for the countless wounded warriors.

Now, at age 92, when you ask Del about her service, she will tell you, ''I didn't do much during the war. Others did so much more.''

Del's humility is a testament to what real selfless service looks like. When Del visits the World War II memorial, she plans to pay her respects to those who made the ultimate sacrifice during the war. Del said she will think of her brothers, of her sister, who all served under General Eisenhower in Europe. She especially wants to honor her first and second husbands, both of whom served in the South Pacific during the war.

I met with Del and talked with her about coming to Washington, DC, on the Honor Flight. She is such a special lady.

When I talked to her, I said: Boy, Del, we have to make sure we raise enough money so you get a seat on the plane.

She said: Oh, no, no, not me. There are others who are so much more deserving than I am. Not me.

That is exactly the kind of selfless attitude she and others who served in World War II have. But she now has a seat. She will be back here in Washington, DC. The first event is tomorrow night, with a service earlier at the memorial tomorrow.

But Honor Flights just don't happen automatically. It takes work—a lot of work. Kathy Shannon, Beth Bouley, Tina Vauthier, Chris Reinhard, Vicky Steven, Yellowstone County commissioner Bill Kennedy, and countless other volunteers have all been instrumental in organizing Montana's first Honor Flight. Students, friends, neighbors, and businesses pooled together more than $150,000 to make this happen. In today's tough times, when families are struggling to make ends meet, pooling together that kind of contribution is no small feat.

This will be the first Honor Flight from Montana, but I know it won't be the last. I know because I have seen the passion and dedication of these volunteers firsthand. In March I had the incredible opportunity to pitch in by serving burgers at a fundraiser in Billings. It was a lot of fun. It was very inspiring seeing all these folks, inspiring to see our young Montanans demonstrating their spirit of service. For example, students from the Huntley Project Schools raised an amazing $2,425 to make this flight happen—just kids. In the process, they learned a valuable lesson about the sacrifices that made it possible for them to grow up strong and free in this country.

This Honor Flight visit is larger than just a thank-you to our World War II veterans. It shows the commitment we Americans consider a sacred obligation to all our veterans—to those who served on the frozen battlefields of Korea, to the jungles of Vietnam, to the deserts of Iraq, and to those who on this very day are fighting in the mountains of Afghanistan. So I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend. And a special thanks to all 18,000 World War II veterans living in Montana. We are forever grateful for your service and your sacrifice.

I might add, Mr. President, that as we honor our veterans, especially those who served during World War II, it is a good reminder to all of us here who aspire to public service. In many cases, these veterans put themselves in harm's way, sacrificing themselves for their country, so the very least we can do here in the Senate is to remember our veterans who sacrifice so much, remember our Armed Forces today who serve us so well, and at the very least we should work together as a Senate, as a Congress, to solve the problems ahead of us and not be so partisan and so divisive, which is clearly not a public service.

CITIZENS UNITED

Mr. President, before I conclude, I also would like to say a few words on another important topic impacting our democracy; that is, the freedom of a people to choose their own elected representatives.

Today, the Supreme Court is considering a challenge to Montana's 1912 Corrupt Practices Act. One hundred years ago, Montanans said, in passing legislation, that elections should not be bought by the Copper Kings. Who were the Copper Kings? They were basically three very wealthy corporate titans trying to control copper production in the State of Montana, and they virtually controlled our State. Montanans said: No, elections should not be bought by copper kings or by any corporation. Today, we in Montana say the same thing.

Unfortunately, the Supreme Court's 2010 decision in Citizens United cleared the way for unlimited out-of-State corporations throughout the country. I applaud Montana's attorney general Steve Bullock for sticking up for Montanans as the Supreme Court takes a closer look at this case. I have introduced a constitutional amendment to limit corporate campaign expenditures, and I have supported every piece of campaign reform legislation that has come before me.

As the Supreme Court looks at Montana's 1912 Corrupt Practices Act today, it is my hope that Montana can continue to lead the Nation in saying that elections belong in the hands of the people, not out-of-State foreign corporations.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

IMPROVING THE ECONOMY

Mr. CARPER. Mr. President, a week or so ago, I was being interviewed by CNN. I think it was a couple days after the jobs report had come out for the month of May. The reporter who was interviewing me was commenting on those job numbers—which I think were disappointing to all of us—and asking me if we were back in the soup, were we heading back into a recession. Instead of continuing to recover from a

really deep, awful recession, an awfully hard, tough recession, would we go back into the soup? And I said to her that I know there are people in my State and across the country who are still hurting, still suffering. People have lost jobs, and in too many cases people have lost their homes and are fearful of losing their health care and not being able to maybe send their son or daughter back to school. And I said that I realize we still have more pain in our country, more than any of us would like.

But, I said, maybe there are four things we should keep in mind:

No. 1, let's not talk ourselves back into a recession, which we have the ability to do. Our hair is not on fire. Let's continue to make sure we are looking at the underlying fundamentals of the economy, and while they are not universally up or upbeat, the underlying fundamentals are not entirely bad either. Our energy costs are way down. We are not just the Saudi Arabia of coal, we are the Saudi Arabia of natural gas. We are now a net exporter of oil, and we are seeing significant reductions over the last half-dozen or so years in our dependence on foreign oil, from about 60 percent of the oil we use being from foreign sources to approaching 40 percent. So the movement is right.

Another underlying factor is the cost of health care in this country. For years we have seen double-digit increases in the rate of health care costs in this country, and last year health care costs in this country rose by only 4 percent. That is a positive factor as we try to be more competitive with the rest of the world.

Another factor is the difference in labor costs between our country and other countries with which we compete, one of them China and another, believe it or not, Vietnam—a very low-cost producer of manufactured products. What we have seen in those other countries—Vietnam, China, and some of the other Asian countries—is that their wage levels have come up, and our wage levels in this country have pretty much remained the same. As a result, the inducements for companies here, particularly manufacturing companies, to move offshore their manufacturing operations have diminished from where they were a couple of years ago.

I think those are all encouraging factors, again, to lay the groundwork for a sustained economic recovery, if our friends in Europe can work their way through, navigate their way through their problems in places such as Greece and Spain. So it is not all bad news. It is not all bad news.

In the near term, what should we do? Again, No. 1, not talk ourselves back into a recession. No. 2, prepare to hit a home run. From a guy who likes baseball a lot, we need to hit a home run. I don't think we will hit a home run here in this Chamber, in this building, in this city before the election.

But the best thing, in my view, we can do for the economy is to adopt a bipartisan, comprehensive deficit reduction deal, much like that proposed by the deficit commission led by Erskine Bowles, former Chief of Staff to President Clinton, and by former U.S. Senator from Wyoming, Republican Alan Simpson—the so-called Bowles-Simpson Deficit Reduction Plan. That plan provides for $4 trillion to $5 trillion in deficit reduction over the next 10 years—$3 on the spending side for every $1 on the revenue side. That actually lowers both corporate and individual tax rates. It lowers the rates and bottoms the base of income that is taxable, eliminating half of our so-called tax exemptions, tax breaks, tax deductions, tax credits, and tax loopholes.

That is how we end up with lower rates both on the corporate and individual sides, and also actually creating revenue: $1 for every $3 of spending reduction. That is a home run. I don't know if we are going to hit that home run before the election, but sometime between the day after the election and, hopefully, by the end of the year we will adopt something similar to that and provide certainty: One, can we govern? Yes, we can. Two, can we be fiscally responsible? Yes, we can. Three, can we provide certainty with respect to our Tax Code? Yes, we can. I think the adoption of that kind of plan answers all those questions with, yes, we can. And we are.

But while we prepare to hit a home run, I don't think we ought to wait around until the end of the year to do something. In the meantime, we need to hit a lot of singles. So rather than hitting a home run with runners on base, let's see if we can't hit some singles and maybe some doubles and score some runs for the economy.

I spend a lot of time, as my colleagues will tell folks, on how to create a more nurturing environment here for job creation and job preservation. How do we do that? Our friend, John Chambers from West Virginia, a native of West Virginia—as am I—who now heads up Cisco, a big technology company, likes to say the jobs of the 21st century will go to those States and those countries that do two things especially well: One, a productive workforce—students who can read, write, think, do math and science coming out of our high schools, coming out of our colleges and universities, into the workforce; and, the States and nations that do another thing very well; that is, create a world-class infrastructure; broadly defined, roads, highways, bridges, transit, rail, port, airports, waterways, water treatment, broadband—all of the above, broadly defined infrastructure.

In addition to that, there are a number of other things we can do to provide a nurturing environment, and they include cost-effective regulations, commonsense regulations, access to leaders like us.

Another positive development in job creation and job preservation is access to capital, the ability to actually borrow money for businesses, large and small, at reasonable rates; the ability to export into foreign markets and to get financing for those exports if they need it; incentives to do basic research and development that actually can be commercialized and create products that we can sell around the world. Those are some of the things that actually contribute to a nurturing environment—not all, not the only things, but some of them.

The other thing that we can do in terms of hitting singles and doubles is some things that we have done in this Chamber this year, and I want to mention a few of those. They include actually doing something about our aviation infrastructure.

When we passed the Federal Aviation Administration reauthorization earlier this year, we not only provided for a source of revenues—provided by the general aviation community and the civilian airlines here, the sorts of revenues to upgrade, modernize, and improve airports—but we also provided money to bring an analogue air traffic control system into the 21st century, arguably a digital system. So that is one in terms of a more nurturing environment.

No. 2, I actually said the idea that in the past, if someone comes up with an idea—like this young woman who is typing down my words on the floor today. If she comes up with a good idea and goes to the Patent Office—in the past she could go to the Patent Office and say: I have a great idea—maybe for a better machine than the one she is taking down my words with here today—and she files for a patent on that machine. A year later, I show up at the Patent Office and say: No, that was really my idea, and I thought of it first. She just filed first, but I really had it first. I end up going and litigating with her, and it may string out for months, years, and provide a lot of uncertainty. I don't have a patent, but I just want to be bought out and basically paid off. Maybe I had the idea first, but in a lot of cases I didn't, and I want to be given something of financial consequence so I will go away.

We have changed that with the law we passed here and the President signed that says: Whoever files first—if she files first for that new machine, it is her patent. It is an important thing for us to do with respect to providing certainty for innovation and creativity.

Another thing we did that I think is a smart idea is we said: We are having a hard time selling our goods and services in places such as South Korea, Panama, Colombia, and a lot of other places around the world. We negotiated in the Bush administration—with George W. Bush—and further in the Obama administration, free-trade agreements with South Korea, Panama, and with Colombia. They have been approved by the Senate, agreed to by the President, and they are now the

law of our land and the lands of those free countries.

What does it mean for us and South Korea, a place where they sold to us last year 500,000 cars, trucks, and vans; a country we sold 5,000 cars, trucks, and vans to? That is going to change, and their ability to keep our vehicles out will phase out over time, and we will have the opportunity to sell our vehicles there just as they have the ability to sell their vehicles here.

We will have the ability to sell poultry products. We raise a lot of poultry on the Delmarva Peninsula in Delaware. We will have the ability to sell poultry products into countries such as Panama and Colombia without impediment and tariff barriers to keep them out.

So the idea to provide better access to foreign markets, we have done that at least with respect to those three, and we are trying to negotiate now something called the Transpacific Partnership, which would allow a number of countries in this hemisphere—including us and maybe Chile and a couple other countries south of us, maybe even Canada and Mexico—to create a trading partnership with countries such as Malaysia, Australia, New Zealand, Vietnam, and a couple of other countries over there.

I am told the Japanese are interested in being part of that as well. That could be an enormous new global partnership that would enhance trade between all the countries that are a part of it.

Another piece of legislation for a single that we have hit over here is something called the JOBS Act. You may recall that IPO onramp—initial public offering—for changing the shareholder threshold, raising it from 500 shareholders to 2,000, something I worked on. The IPO onramp will make it easier for companies, if they want to go public, to do so.

JOHN CARNEY, a Congressman from Delaware, worked on that in the House and did a very nice job. But that is legislation endorsed by the President, supported by Democrats and Republicans, now the law of the land—another single, maybe a double, I don't know—where middle-sized companies and smaller companies that want to grow either remain privately held or become publicly traded.

Other potential singles and doubles are the postal legislation that Senator LIEBERMAN, Senator COLLINS, Senator BROWN, and myself and others have worked on to try to save the Postal Service, which is losing $25 million a day in the 21st century. We have a pretty good idea on how to stem that hemorrhaging and how to help them help themselves become sustainable again in a break-even operation. That legislation, a bipartisan bill, passed the Senate and was sent over to the House awaiting action. We need for the House to take up that legislation. If they do, that is something that can help save and preserve 7 to 8 million jobs and affect a significant part of our country.

Another potential double—maybe even a triple—is transportation legislation and the 2 or 3 million jobs that flow from that. A lot of transportation projects in my State and 49 other States are literally grinding to a halt because of the inability, in this case, of the House to agree with bipartisan legislation that we passed in the Senate to fund and to go forward with transportation projects in all 50 States that nobody is arguing with. They are not bridges to nowhere. They are actually smart ideas, and a lot of them involve State funding as well, but they need some Federal help.

We passed it in the Senate, and the House has sort of gone to conference with it. But we are having a tough time getting to yes. If they do, that is a double or triple with runners on base, 2 to 3 million jobs.

Those are things that we can do to actually enhance and nurture the environment for economic growth, for job creation, job preservation in this State.

There is one more single or double I want to talk about, and it is the agriculture legislation. We have an agriculture bill that has been brought out of committee by a big bipartisan vote. It would enable us to do what I think we need to do in a lot of areas of our government; that is, get better results for less money. I like to say in everything we do, everything I do, I know I can do better. I think the same is true of my 99 colleagues. I believe that is true of most Federal programs. One of our challenges is to figure out how to get better results for everything we do.

Today we had a very interesting hearing on the Medicaid Program and how to get better results for less money with respect to Medicaid and how we reduce improper payments—mistakes and so forth—and how we reduce fraud losses, which are about 10 percent of what we spend in Medicaid and Medicare. But a recurring theme for me and for the subcommittee I lead on Federal financial management in the Senate is how do we get better results in almost everything we do for less money or better results for the same amount of money? That is not a Democratic idea, it is not a Republican idea, it is not a liberal idea or a conservative idea. It is just a smart idea.

In a day and age of these trillion-dollar deficits—and deficits are coming down, but it is still too high. While we wait to do that big deal, hit that home run with something like the Bowles-Simpson Deficit Commission recommendation later this year, we need to continue to hit singles in terms of reducing spending taxpayers' money in a smart and more cost-effective way.

That brings us to the legislation that has been before the Senate this week, and that is the Agriculture bill. Believe it or not, in Delaware, our little State, we have 300 million people in about 100 miles from one end to the other, north-south, right here on the Mid-Atlantic between Washington, DC and New York City. For us, agriculture is still a big deal. We don't have a lot of cows—we have some. We don't have a lot of hogs—we have some. What we have a lot of is chickens. We have a lot of chickens.

For every person who lives in my State, there are 300 chickens. As you go from north to south, the chickens have us outnumbered even more than 300 to 1.

Eighty percent of our agricultural economy in Delaware is poultry related. The poultry industry doesn't need a lot or ask for a lot in terms of support or investment from the Federal Government. But we raise a lot of corn and soybeans in Delaware, and so we care about agriculture and we care about the farm bill. Other parts of the country care about it even more, maybe, than we do. But I want to talk about it for a few more minutes before I head back to my office.

I am here today to say that the farm bill that has been before us this week, when compared to the ones that have come before it in recent years, makes great strides toward reforming a process that was too often—and I think rightly—criticized as regressive and, unfortunately, wasteful.

All told, the bill that has been brought to the floor—a bipartisan bill. Great kudos to the chairman of the Agriculture Committee in the Senate, DEBBIE STABENOW of Michigan, and the Ranking Republican Senator, PAT ROBERTS from Kansas. They have done great work in steering this legislation through committee, again with strong bipartisan support, and bringing it to the Senate floor, saving the Federal Government almost $24 billion over the next 10 years compared to what we would otherwise be spending under current law.

The legislation eliminates wasteful spending by getting rid of the so-called direct payments program, which too often gave money to farmers even when farmers didn't grow anything or even own the land. But I think the bill is also humane, and this legislation is not unfair to our farmers. I believe it embraces the Golden Rule of treating other people the way we want to be treated, and that includes farmers and farm families and taxpayers.

But instead of continuing the direct payments program that has prevailed for years, this legislation institutes a new crop insurance program, a long sought after goal by those of us wanting to make progressive changes to farm law.

Instead of giving money to farmers who, again, sometimes don't grow even a single crop in a year, this legislation only helps farmers when they actually experience a loss on the crops they are actually growing.

For a lot of people in this country, that would just sound like common sense. But in Washington, DC, and across the country, it is an uncommon approach to farm legislation. This is a much smarter approach.

In the end, the new crop insurance program, the Agriculture bill before the Senate this week, still would give farmers the security they need to continue farming. There is a lot of uncertainty in farming. Is it going to rain? Is it going to be cold? Are we going to have hail? Are we going to have drought? There is a huge amount of uncertainty, and it is important for us—to the extent that we can reasonably do that—to reduce uncertainty and lack of predictability for all kinds of businesses. It is hard to do that. We don't control the weather; we don't control the temperature—well, indirectly maybe. But to the extent that we can help provide some certainty, security, and predictability for the farmers at a lower cost to the taxpayers, we ought to do that.

I think this committee has pretty well thought that through and figured out a way to do crop insurance—an old program—with a new approach, a smarter approach that is good for farmers and, I think, good for taxpayers.

Another thing this legislation focuses on is nutrition and how we can encourage farmers to grow and people to eat more healthful foods as part of their daily diets.

We live in a country where, sadly, one-third of the American people are overweight or on their way to being overweight, and maybe on their way to being obese—about one-third of us. The trend is not good.

In terms of cost for health care, it is killing us: Medicaid costs, dialysis, diabetes, hospitalization, loss of limbs, loss of eyesight, and for our ability to fund Medicare, again, the same kind of challenges and hardships in the ability for us to compete with the rest of the world when we are so much heavier than they are. We know the four major cost factors in health care are, No. 1, weight; No. 2, tobacco; No. 3, high blood pressure; No. 4, high cholesterol. If we could do a better job on all those fronts, we would be off to the races on our health care costs. We are making some progress bringing health care costs down.

Believe it or not, this agricultural legislation is part of the solution because it, among other things, encourages us to eat a diet that is more healthy for us. This bill doesn't mandate what people eat, but it helps to encourage and provide ways to make healthier foods available, nutritious foods available in places such as health deserts. There are some communities, some cities around the country, where the only grocery store they have in their community is a convenience store. There is nothing wrong with convenience stores, but if that is the only place one can buy fruits and vegetables, and they don't have them—maybe bananas if one is lucky—that is not good.

This effort, along with the First Lady Michelle Obama, will be reducing those food deserts. It includes support for programs that help farmers produce fruits and fresh vegetables. In our State, we raise not only corn and soybeans, we raise a lot of fruits and vegetables, most notably watermelons, but we do a few lima beans and other products as well. We grow most of those in the summer, some in the fall and the spring, but we will be able to bring it to market in ways that benefit farmers and consumers and also support programs such as Farm to School, where we actually bring fresh fruits and vegetables from our farms to schools to feed our students.

We also talk a lot around here, as my colleagues know, about reducing our dependence on foreign oil. As I said earlier, dependence on foreign oil in this country has dropped from about 6 years ago; a half dozen years ago, 60 percent of our oil was from foreign sources; now we are turning down toward 40 percent. We hopefully will be there in another year or two. But this legislation, the agriculture bill, actually helps move us in that direction where we are lessening our dependence on foreign oil.

It includes legislation I joined Senator STABENOW in introducing earlier this year that would support the expansion of products made in country from bio-based material, such as the renewable chemicals made from plant material which can be used to displace petroleum and our plastics.

The DuPont Company, which is a major employer in our State—frankly, one of the great companies in this country for the last 200 years and around the world—does great work, exciting work not only in figuring out how to use corn, get more yield off an acre of land—as much as 300 bushels off an acre of land. Thirty years ago, a farmer was doing good if an acre was getting 50 bushels. Now DuPont has these experimental farms where they are getting 300 bushels off an acre of land, so we can feed ourselves and fuel ourselves. Not only that, we can take the corn—the cornstalks, the leaves, the corncobs—and turn that into cellulosic ethanol. We can also take the byproduct of some of the vegetables and some of the plants we are raising to create carpeting, as attractive as the carpeting in this Chamber, and clothing. One of the great growth businesses for DuPont, at least, is using plant life to create carpets and not to have to depend on petroleum to do that. It is very exciting. It reduces our dependence on oil, particularly on foreign oil.

It also creates new jobs in communities across our country, including my State and I suspect including Minnesota, where our Presiding Officer is from.

Another key investment this bill continues, although it is at a somewhat reduced Federal level from what we saw in the 2008 farm bill, is the agricultural bill's investment in conservation. Conservation and the preservation of agricultural lands are the key to the future of agriculture in every State but are especially important in a little State such as Delaware. These investments are also particularly critical to regions such as the Chesapeake Bay to our west, which Delawareans and Marylanders and Virginians especially are working hard to restore and to protect.

I might mention, if I could, in terms of conservation, we had a big problem in our State. People like to come to Delaware. We have great beaches, Cape Henlopen and Lewes and Rehobeth and Dewey and Bethany on down to Fenwick Island. People come to our State a lot of times because they want to retire there, maybe have a beach house in the summer and then decide they want to live in Delaware. We have had a lot of demand for housing in the southern part of our State crowding out some of our agricultural land. We are concerned about what does that do for open spaces and preserving our agriculture land.

When I was privileged to be Governor, initially proposed by Mike Castle, our previous Governor, we wrote a program to preserve our agricultural land. We have invested a fair amount of tax dollars in Delaware, with broad support from people who live in the suburbs and the cities as well as farmers, to preserve the farmland and we have preserved a lot of it. I am very proud of that. One of the best ways to preserve farmland is to make sure farmers can make money off the land they are farming. If they are able to make a good income in good years and bad years, if they have ways to get extra sources of income from the farms—which include raising corn that can be turned to a cellulosic biofuel and help fuel our country or provide the materials that are needed to create carpeting or clothing or to be a place we can build maybe windmill farms or solar energy and deploy those and harvest that as well as crops, those are ways to supplement the income of our farmers and promote conservation.

Beyond that, the bill we are looking at does focus some good attention, appropriate attention, on encouraging and nurturing conservation. I mentioned earlier, we have about 1 million people in Delaware and about 300 chickens for every person. About 60 percent of the cost, I am told, of raising a chicken is the cost of feed. In recent years, the cost of feed, including the cost of corn, has risen dramatically. Our new pages who are here for a 3-week period are anxious to know how much it costs to feed a chicken. We can actually take a chicken from the time it comes out of an egg and in about 7 weeks or so it is ready to actually go to market. But what do we feed them in the meantime? We feed them a lot of corn and we feed them a lot of soybeans. We have seen the cost of corn go from maybe a couple bucks for a bushel of corn to rise to as much as maybe $7 or $8 a bushel of corn. We have seen soybeans go from about $5 a bushel to as high as $12 or $13 a bushel. It is hard

to pay that kind of money for corn and soybeans to feed chickens, to raise chickens, and make money. We have lost a major poultry integrator in our State and other places because of the difficulty in feeding the chickens with the high cost of corn and soybeans. About 60 percent of the cost of raising a chicken is corn and about another 20 percent is soybeans. It is a tough business when those prices have doubled and actually tripled. They are coming back down. We are working hard to bring them down, but they increased a strain on the poultry business and made a very profitable business in some places unprofitable.

That is why Senator JOHN BOOZMAN of Arkansas and I have introduced an amendment to the bill we hope to be adopted, folded into the bill, that makes a priority at USDA research to improve the efficiency, the digestibility and nutritional value of food for poultry and livestock, including corn, soybean meal, grains, and grain byproducts. By improving the feed that is used to raise our chickens, and I might add other livestock, hogs and cattle and so forth, we can provide the poultry and the livestock industries with a great variety of feed choices to use in their operations which will ultimately help provide relief to those producers that rely heavily on their commodities in their operations and still provide healthy food.

Let me go back to where I started; that is, to ask then how do we get better results with less money in everything we do or maybe for the same amount of money? I think that every day I am here. I know many of my colleagues do as well. The bill before us, the agriculture bill, seeks to answer that question in a number of ways. They do help us get better results for less money, not just a better result for the taxpayer but I think maybe a better health result, reducing somewhat this upward trend toward obesity, making sure people who are not eating the kind of healthy foods they need, particularly fruits and vegetables, have access to fruits and vegetables. On both those counts, this legislation helps not just to serve farmers who are literally the lifeblood of this country but the rest of us too, including taxpayers.

I will wrap up where I started. I asked the sort of rhetorical question of how is the economy doing, and we are still struggling. To some extent, it is better than it was, but we know folks are having, in some parts of the country, including some parts of my State, a tough time finding a job, keeping a job, being able to keep their house and make sure their kids can go to college, make sure they have health care. We know there are challenges. We should be ever mindful of that.

I would say, though, in terms of moving out of the recession, the underlying fundamentals of the economy are not all bad, and we should keep that in mind. One of the surest ways to talk ourselves into another recession—having just come out of the Great Depression, we can now talk ourselves into depression. We can talk ourselves into a recession. We don't need to do that. We have seen consistent job growth in the private sector side for over 24 months, manufacturing jobs for over 30 months. We need to keep a balanced view, knowing there is still work to be done.

In baseball parlance, I was talking to a guy up here who follows the Minnesota Twins, the Presiding Officer pretty much. My guess is he is joined by the former Governor and now Senator from North Dakota. My guess is he might be a Twins fan too. I am not sure.

I got a thumbs up.

We pull for the Phillies. I pull for the Tigers as well, for some reason I will not bore everyone with today.

But we need to hit a home run to get the economy moving, and in my view the home run is bipartisan, comprehensive, balanced deficit reduction, not unlike the Bowles-Simpson Commission recommendation. When the elections are over, we can move and pass something along those lines before the end of the year. For me, that is a home run with men on base.

In the meantime, there are a bunch of things we do to get singles, doubles, and get the economy moving to create that nurturing environment; do what needs to be done and finish with our transportation legislation to keep 2 or 3 million people working. The House has been less willing to help us find a good compromise, and they need to—as well as postal legislation, which supports an industry of 7 or 8 million people.

We passed bipartisan legislation 2 months ago, and we are still waiting for the House to move the bill 8 months after they reported the bill out of the committee. We need to get on with that. If they do that and we get a good compromise on a bipartisan bill on transportation, we preserve 2 or 3 million jobs, free a lot of money for transportation all over the country. That would be great. On the postal side, help the Postal Service rein in its deficits, move toward self-sufficiency and make sure there are 7 or 8 million jobs remaining there and the industry is strengthened.

The last thing we need to do is find a way, focus every day on how to get better results on everything we do. How do we do that? Not just defense spending, defense projects, not just education, not just transportation, not just environment, not just agriculture but all of the above.

This bill doesn't help us rein in the growth in some other areas, but it sure does in respect to agriculture. It saves us about $24 billion above what we would otherwise spend over the next 10 years. I think that moves us in the right direction, in terms of healthy Americans, to be a trimmer, less-obese population, and a healthier population by virtue of eating our spinach and our broccoli and a lot of other vegetables and fruits that are making us healthier and maybe a little bit leaner than we would otherwise be.

I think that pretty well wraps up what I wanted to say today. I think maybe I should yield the floor to my friend from North Dakota, a recovering Governor and a good man. I am happy to yield the floor for him at this time.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from North Dakota.

Mr. HOEVEN. I thank my esteemed colleague, who is not only a Senator but a former Governor as well.

AGRICULTURE REFORM

Mr. President, I rise to speak on the farm bill. I think we have a real opportunity to pass a farm bill that will not only reduce the deficit but provide strong support for our farmers and ranchers. Right now at this point, there is something like 250 amendments that have been filed on the farm bill. Some are good, others are probably not so good, and certainly many amendments have been filed by both parties. Some of them are germane, meaning they actually relate to the farm bill, and many of them are not. That means if we are going to get a farm bill, we have to find a way to work through these amendments and come to agreement on the amendments as far as the ones that will be voted on, and that is going to take some compromise on the part of both parties. I mean that. We have to come together in a bipartisan way and come up with an agreement so we can have a reasonable number of amendments brought forward and we can vote on those amendments and pass a farm bill. We should be able to do it. We absolutely should be able to get that done because this bill accomplishes some very important things for our country.

As I said, this bill saves money. It saves $23.6 billion that will help with the deficit and the debt. It also provides a very strong farm program for our farmers and ranchers, and that is important not only for our farmers and ranchers but for every American. It is important for every single American. Good farm policy not only benefits farmers and ranchers, it benefits all Americans.

First, we have the highest quality, lowest cost food supply in the world, bar none. We have the highest quality, lowest cost food supply in history. Every American benefits from that.

Second, it is a jobs bill. We are talking about millions of jobs, both on a direct basis and on an indirect basis. If we talk about small businesses, we are talking about hundreds of thousands of small businesses across this country in every State. For farmers and ranchers and all of the businesses that go with farming and ranching, it is hundreds of thousands of businesses. So it really is a jobs bill at a time when we need to get our economy going and we need to get people back to work.

It is also about national security. Think how important it is that we be

able to rely on our own farmers and ranchers across this country for our food supply. We are not beholden to other countries or relying on other countries, particularly countries that may have very different interests than we have for our food supply. It really is an issue of national security as well.

So for all of these reasons and more, we need to move forward on this farm bill. We are talking about legislation that affects every single American.

In addition, this is a cost-effective bill. It provides strong support to our farmers and ranchers, but, as I said, it also provides real savings to help with our deficit and debt. Agriculture is doing its part to help reduce the deficit. I would like to go through the numbers for just a minute to demonstrate that.

On an annual basis, the farm bill is about $100 billion out of a $3.7 trillion budget. So it is $100 billion out of a $3.7 trillion budget, but the portion that goes to farm programs and really goes to agriculture to maintain this network of farms and ranches across the country is only about $20 billion—actually less than $20 billion out of an annual budget of $3.7 trillion. Now, 80 percent of the farm bill, per se, is nutrition payments.

So let's go through these numbers. How does the farm bill score? How do we get what is really spent and where it is spent and the savings that we generate with this new legislation? The farm bill is scored, of course, over 10 years by the CBO. The total cost is $960 billion. Out of that 80 percent-plus is nutrition, primarily SNAP, which is the Supplemental Nutrition Assistance Program, and the School Lunch Program. So approximately $800 billion of that score is nutrition. Less than $200 billion of the score relates to the farm program portion of the farm bill. But, as we know, the farm bill is actually a 5-year legislation, not a 10-year legislation. So the actual cost is half that; it is $480 billion in total. Approximately $400 billion of that goes to the nutrition programs I talked about. Less than $100 billion over 5 years or less than $20 billion a year is actually the farm program portion of the bill.

Back to the savings. There is $23.6 billion saved out of the portion that is less than—or mostly out of the portion that is about $200 billion. In fact, out of what are truly farm programs—the commodity title and crop insurance—we are talking about $15 billion in reductions and another $6 billion in reductions out of the conservation programs. Again, those two programs alone are $21 billion of the $23 billion, and only about $4 billion in total comes out of the nutrition programs. Again, on a 5-year basis, cut that in half. We are reducing by 10 percent the funding that goes to support the farm program. That is a significant reduction.

Let's go back to my point about all of these amendments we have. We have on the order of 250 amendments, and we have to get through them and have some agreement, again on a bipartisan basis, as to the amendments that will be brought forward and voted on as part of this package.

We have the core bill that came out of the Agriculture Committee. It came out of the Agriculture Committee with a strong bipartisan vote—16 to 5—and that is for the underlying legislation. We have these 250 amendments. We have to somehow get together, come to the floor, and have a reasonable vote on these amendments—some will pass and some will not—and move this legislation forward.

As I said, while many of the amendments relate to the farm program portion of the farm bill, they either seek to further reduce the cost of the bill or seek to improve the bill. Regarding the cost of the bill, as I have just explained, the farm program portion of the bill is less than $20 billion a year, and we have already saved 10 percent. We are already reducing 10 percent. So no amount of amending for additional savings is going to make a large difference on the $3.7 trillion budget.

Further, as I said, since we already reduced the 10 percent, agriculture is doing its part to help with the deficit. For example, think if we went through the rest of the budget and were able to secure a 10-percent reduction out of all of the other portions of the budget, right? Again, my point being, of course, we have to find savings, but we are doing it in agriculture, and we are doing it in a big way. It truly is a cost-effective measure.

There are also amendments that seek to improve the bill. Here I go back to the old saying that perfect is the enemy of good. I get that there are a lot of amendments and everybody wants their amendment passed, but no amount of amending this bill is going to make it perfect. What this bill does is it already builds on the strengths of the existing farm program and makes the program stronger.

The heart of this bill is enhanced crop insurance. That is what producers across this country told us over and over again that they want. It is what they need to continue to do the very best possible job to produce the food supply we rely on throughout this country and many other countries throughout the world. Enhanced crop insurance is the risk tool they want. It is a market-based approach, and it is cost-effective.

In fact, we enhanced crop insurance with what we call the supplemental coverage option. Essentially what we do in this farm bill is we say we are going to build on the core and strength of the existing farm program because that is what the farmers and ranchers of this country have told us they want.

As it is now, the farmer goes out and buys his crop insurance and insures up to the level he thinks is appropriate. He tries to make the best decision he can, all conditions considered, and buys the crop insurance on a cost-effective basis. But the higher level he insures, the more costly it becomes to insure. So we add a new element to this bill, and it is called the supplemental coverage option. Essentially what it does is once the farmers purchase their crop insurance at whatever level they feel is cost-effective, then they can buy a secondary policy on top of that to insure at a higher level on a cost-effective basis. It is not farm-level coverage, it is countywide coverage that makes it more cost-effective. If the farmer has a disaster, it truly makes sure the farmer can continue in business. So they are able to buy crop insurance in a way that affords them better coverage.

In addition, the legislation provides help with shallow or repetitive losses that farmers sometimes face due to weather. That coverage is called ARC, or the Agriculture Risk Coverage Program. These are voluntary programs. These are an effort to make sure farmers and ranchers can insure like other types of businesses and continue even when weather conditions make it very hard for them to farm or ranch, not only in a given year but if they face weather difficulties over a period of time.

I know some of the Senators from the Southern States think that in this bill for their farmers, particularly for peanuts and rice and to some extent cotton—although there is a STAX program for cotton—there needs to be more price protection. In fact, we are working with them to do just that. We have offered amendments that I think we are making real progress on that will help them with some of the price protection they want for the southern crops, particularly peanuts and rice. As I said, they do have a product that I think they feel works for cotton, but this would provide additional price protection for cotton as well.

Again, I believe we are reaching out and doing what we need to do with southern producers. I hope we can get their support on this bill as part of getting an amendment package that we can agree to and move forward on the bill.

The other point that I think is very important to keep in mind relative to southern growers is that they will have additional opportunity in the House for some of the improvements they may feel they need in the bill even though, as I say, I think the underlying bill itself is very strong, and we have, I believe, come to some agreement or gotten very close to some amendments that will afford them the further price protection they feel is needed in the legislation.

So that is where we are. I want to return to where I started. We have to come together in a bipartisan way. Both sides of the aisle have to come to reasonable agreement on these amendments so we can move forward and vote on this bill. I absolutely believe we can do it, but I want to be very clear that it is incumbent on all of us to make it happen.

This bill is not just about our farmers and ranchers. This is a bill that affects every single American, and it is time we come together on an amendment package and find a way to move forward and get this bill done for the good of farm country and for the good of the American people.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the role.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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.

AGRICULTURAL REFORM

Ms. STABENOW. Mr. President, as we wrap up today and the week, I wish to take a few moments to give a status report as to moving forward in our negotiations on the farm bill. We have actually had some very good progress and overcome some obstacles and we are putting together something for the Senate for the beginning of the week that will allow us to move forward.

I wish to also thank the junior Senator from North Dakota whom I heard on the floor a little while ago, Mr. HOEVEN, about the 250 different amendments we have. Of course, the great thing about the Senate is we can all offer amendments whether they are relevant or not, and the challenge for someone managing a bill is that anyone can offer amendments. So we have worked our way from the 250, we are working our way down from 50 to 40 and putting together an approach that will be fair and balanced and allow us to move forward and have the input of everyone on both sides of the aisle.

So I wish to thank Senator ROBERTS again for being truly a partner with me all the way through this process and a terrific committee. We heard from one of those members, the junior Senator from North Dakota, in laying out what a positive and important bill this is for us. I wish to thank him as our newest member of the committee for all his contributions as well.

To briefly recap as we bring the discussion to a close this week, there are 16 million people who work because of agriculture. They may be working in the fields. They may be packaging, processing, making machinery for agriculture. They could be doing a number of things, but 16 million people work because of agriculture. I am not sure we can say any other individual bill that has been brought to the floor of the Senate impacts that many people—16 million people.

As I have said so many times, I don't believe we have a middle class in this country unless we make things and grow things. I am proud of Michigan where we do that. We make things and grow things. The State of the Presiding Officer as well makes things and grows things. That is the strength of our economy.

One of the bright spots for us, even during the deepest, toughest times in the country, and certainly in Michigan, has been and continues to be agriculture, our major source of a trade surplus, having seen the trades expand 270 percent just over a short period of time, and over 8,000 jobs created for every $1 billion we do in trade exports. So there are multiple facets to this jobs bill, from production agriculture, alternative energy, biomanufacturing, whether it is support for the critical needs of families through nutrition, whether it is conservation, where we have the largest investment in land and water conservation in our country on working lands, done through the farm bill.

This is important. It covers many important subjects that touch every single person in rural America and every person across this country as consumers of the safest, most affordable food supply in the world. So we have an obligation to get this right and to take the time to do it, and that is exactly what we are doing.

I am so proud this bill came out of committee with a broad, bipartisan vote and that we had such a very strong vote to proceed to the bill and now we are moving through the process of bringing us down the path to a final conclusion.

As we do that, I wish to stress again a few points. We could talk a long time because this has many pieces to it, and I am not going to do that this evening. But I do want to say one more time, to my knowledge, this is the one piece of real deficit reduction done on a bipartisan basis—in fact, on a House-Senate basis back in the fall—that we have had before the Senate.

There is $23 billion in deficit reduction. So we all have an opportunity to vote to reduce the deficit—something we all care about—and we can do that while passing the farm bill. This repeals direct payments. Four different subsidies, in fact, are repealed. In its place, we put a risk management system.

So if there are losses, if there is a disaster from weather, such as we have seen in Michigan, if there are other disasters on price declines, world actions that create a challenge for our farmers or ranchers, we will be there to make sure nobody loses their farm because there are a few days of bad weather or any other risk that is beyond their control. However, if things are going well, we are not going to be giving a government payment.

We are going to cover farmers for what they plant and when there are losses. We are strengthening payment limits so we again are focusing precious dollars on those who need it, and we end more than 100 different programs and authorizations. As we have scoured every single page of the farm bill and the USDA responsibilities, we have found areas where there is duplication, redundancy, things that are no longer needed, and we have solidified, made things more flexible, cut duplication. In the process of that, we have actually eliminated 100 different programs and authorizations, cut $23 billion. At the same time, we have continued our commitment to families and children in this Nation who have their own personal disasters and need food assistance help.

We continue a strong commitment on conservation. We have 643 different conservation and environmental groups that have come together to support our approach, 125 different agriculture and hunger groups, and other organizations that say yes to this bill. We are anxious to get it done.

I would just say, as we conclude a very busy week—and I have to say it has been a very productive week—we began a process. We have had some votes. We have had a number of folks come together. I thank people on both sides of the aisle for their willingness to work with this as we move forward on our path to completion of this very important 5-year bill. I wish to indicate to everyone that we will look forward to having the opportunity next week to present something to the body.

VOTE EXPLANATION

Mrs. MCCASKILL. Mr. President, I was unable to arrive at the Senate Chamber in time for Senate rollcall vote 119. I would have opposed tabling amendment No. 2393 to S. 3240. The outcome of the vote would not have been changed had I been present.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

HURWITZ NOMINATION

Mr. BLUMENTHAL. Mr. President, I would like to express my strong support for the nomination of Andrew Hurwitz to be a member of the U.S. Court of Appeals for the Ninth Circuit. Justice Hurwitz is already an experienced judge, having served for almost 10 years as a member of the Arizona Supreme Court. He has disposed of hundreds of cases and has received the highest possible rating from the American Bar Association Standing Committee on the Federal Judiciary, ''well qualified.''

Most important to my support, I have known Justice Hurwitz for literally four decades, so I am exceptionally familiar with his professional and personal background and am certain that he will be an outstanding addition to the Ninth Circuit Court of Appeals.

I first met him at Yale Law School, where we worked together on the Yale Law Journal. He attended Yale after graduating from Princeton University in 1968. Our lives intersected again when I followed him as a law clerk to Judge Jon O. Newman and then as a law clerk on the U.S. Supreme Court, although in different years and for different Justices. At every step of his career as a litigator and judge, as well as student and law clerk, he has been a paragon of intellect and integrity.

Justice Hurwitz has built a distinguished record while serving on the Arizona Supreme Court. Time and again, he has demonstrated an extraordinary capacity for analysis, thoughtfulness, and insight when facing the most complex and challenging questions of law. He has the qualifications, both professionally and personally, to be a great Federal judge. His reasoning is often of such a caliber that even on highly contested or controversial issues he has been able to build consensus on the court. Indeed, many of his most significant opinions were joined by all members of the Arizona Supreme Court.

Before his appointment to the Arizona Supreme Court, Justice Hurwitz spent 25 year in private practice in Arizona, where he represented a wide range of interests—from AT&T and the American Broadcasting Company to the city of Phoenix and the Arizona State Compensation Fund. He also developed a specialty in Native American law, representing, among others, the Salt River Pima-Maricopa Indian Community and the Hopi Tribe. Much of the work he did during his years of practice involved complex appellate litigation, including numerous arguments before the Ninth Circuit and two before the U.S. Supreme Court. This experience gives Justice Hurwitz familiarity with a broad swath of Federal law.

Equally impressive is Justice Hurwitz's commitment to pro bono work and public service. While in private practice, Justice Hurwitz argued and won a groundbreaking death penalty Supreme Court case, Ring v. Arizona, to vindicate the rights of death row inmates sentenced by judges rather than juries. He also took time out of his successful practice to work in Arizona government. Among other projects, Justice Hurwitz was responsible for creating the Arizona Health Care Cost Containment System, a program designed to rein in State Medicaid costs. He also worked with the Reagan administration to implement greater control over transportation and education for State agencies. He served from 1988 until 1996 on the Arizona Board of Regents, including as board president. During his tenure, he led an effort to require annual reports from universities certifying they had reached mandated educational goals. His commitment to public service work shows a dedication to the legal system that I believe should be shared by all members of the Federal bench.

Throughout the 40 years I have known him, Justice Hurwitz has always been open about his passion for the law. From private practice to government to serving on the Arizona Supreme Court, he has shown unparalleled legal acumen and a devotion to public service. I have no doubt that his adherence to precedent, coupled with his passion and his wisdom, will serve this Nation well. President Obama has made a truly excellent nomination that will benefit the cause of justice in our Nation for many years to come.

ETHIOPIAN FREE PRESS ASSAULT

Mr. LEAHY. Mr. President, later this month, I and other Members of Congress will be watching what happens in a courtroom 7,000 miles from Washington, in Addis Ababa, Ethiopia.

That is where a journalist named Eskinder Nega stands accused of supporting terrorism simply for refusing to remain silent about the Ethiopian government's increasingly authoritarian drift. The trial is finished, and a verdict is expected on June 21.

Mr. Eskinder is not alone. Since 2011, the Ethiopian government has charged 10 other journalists with terrorism or threatening national security for questioning government actions and policies—activities that you and I and people around the world would recognize as fundamental to any free press. Ironically, by trying to silence those who do not toe the official line, the government is only helping to underscore the concerns that many inside and outside of Ethiopia share about the deterioration of democracy and human rights in that country.

Ethiopia is an important partner for the United States in at least two key areas: containing the real threat of terrorism in the region, and making gains against the region's recurring famines and fostering the kind of development that can bring the cycle of poverty and hunger to an end. The United States has provided large amounts of assistance in furtherance of both goals, because a stable, democratic Ethiopia could exert a positive influence throughout the Horn of Africa and help point the way to a more peaceful and prosperous future.

That is why President Obama invited Prime Minister Meles Zenawi to last month's G–8 Summit at Camp David. The subject was food security, and Prime Minister Meles and the leaders of several other African countries helped inaugurate a new public-private alliance for nutrition that aims to increase agricultural production and lift 50 million people out of poverty in the next 10 years. I can think of nothing that will do more to further peace and prosperity of the region than this kind of targeted, practical, and cooperative initiative.

But initiatives like this depend for their success on broad national consultation, transparency and accountability. Consultation to integrate ideas from diverse perspectives, transparency to maintain partner confidence that their investment is reaching its targets, and accountability to ensure it produces the desired results. And transparency and accountability depend, in no small part, on a free press.

In Ethiopia, that means enabling journalists like Eskinder Nega to do their work of reporting and peaceful political participation.

But seven times in Prime Minister Meles's 20-year rule, Mr. Eskinder has been detained for his reporting. In 2005, he and his journalist wife Serkalem Fasil were imprisoned for reporting on protests following that year's disputed national elections. They spent 17 months in prison, their newspapers were shut down, and Mr. Eskinder has been denied a license to practice journalism ever since. Yet he carried on, publishing articles online that highlight the government's denial of human rights and calling for an end to political repression and corruption.

In some of those articles, Mr. Eskinder specifically criticized the Meles government for misusing a vaguely-worded 2009 antiterrorism law to jail journalists and political opponents. Now he stands accused of terrorism. At his trial, which opened in Addis Ababa on March 6, the government reportedly offered as evidence against him a video of a town hall meeting in which Mr. Eskinder discusses the Arab spring and speculates on whether similar protests were possible in Ethiopia. If convicted, he could face the death penalty.

The trial of Eskinder Nega, the imprisonment of several of his colleagues on similar spurious charges, and the fact that Ethiopia has driven so many journalists into exile over the last decade has eroded confidence in Prime Minister Meles' commitment to press freedom and to other individual liberties that are guaranteed by the Ethiopian constitution and fundamental to any democracy.

The United States and Ethiopia share important interests, and the administration's fiscal year 2013 budget requests $350 million in assistance for Ethiopia. However, to the extent that any of that assistance is intended for the Ethiopian government, the importance of respecting freedom of the press cannot be overstated. What happens to Mr. Eskinder and other journalists there will resonate loudly not only in Ethiopia, but also in the United States Congress.

FLAG DAY

Mr. CARDIN. Mr. President, I rise today to commemorate the 96th anniversary of Flag Day in the United

States and to draw attention to its heightened significance in this year, the 200th anniversary of the United States' 'Second War of Independence,' the War of 1812. Since its adoption by the Second Continental Congress in 1777, our flag, with its thirteen stripes and fifty stars, has proudly stood as a beacon of liberty and justice throughout the world.

For more than 200 years our flag has stood as a tangible expression of our Nation and the lofty ideals it was created to protect. In 1916 President Woodrow Wilson sought to formally recognize the significant cultural and historical legacy that our flag embodies, proclaiming that the fourteenth of June should be known as Flag Day as a means of commemorating the Flag Resolution of 1777. While Flag Day was celebrated in many communities across the country in the years following Wilson's proclamation, it was not until 1949 that President Truman signed an Act of Congress designating June 14 of each year as National Flag Day and the week on which it falls as National Flag Week.

My State of Maryland plays a prominent role in the rich and storied history of our national Flag. Shortly after the British sack of Washington, D.C., the Royal Navy turned its gaze north, moving in force towards the strategic port city of Baltimore, MD. Despite the lack of formally trained, commissioned soldiers, the citizens of Baltimore diligently prepared the city's defenses and steadfastly stood their ground against the better equipped and trained forces of the British military. Despite their manifold disadvantages, the volunteer militia fought valiantly during the Battle of North Point, holding off the British infantry long enough for reinforcements to arrive. With their ground forces stymied, the British Navy commenced its intense, 25-hour bombardment of Fort McHenry. However, the bombardment was to no avail, as the stalwart American defenders refused to yield and the British were forced to depart.

During the bombardment, American lawyer Francis Scott Key, who was being held aboard an American flag-of-truce vessel in Baltimore Harbor, beheld by the dawns early light the American flag still fluttering in the breeze atop Fort McHenry. At that moment, Key realized the Americans had survived the assault and stopped the enemy advance. Deeply moved by the sight of the American flag after the devastating assault, he immortalized the event in a poem entitled ''The Defense of Fort McHenry,'' which was later set to music and renamed ''The Star Spangled Banner.'' On March 3, 1931, President Herbert Hoover signed a Congressional resolution, formally making the ''Star Spangled Banner'' the national anthem of the United States.

The flag that flew over Fort McHenry during that fateful night is now a national treasure that remains on display at the Smithsonian Institution as a stirring inspiration to all Americans. Each year the National Flag Day Foundation of Baltimore sponsors a moving ceremony at the Fort McHenry National Monument and Historical Shrine which brings our community together in celebration and remembrance of our illustrious history.

America's flag graces classrooms, statehouses, courtrooms, and churches, serving as a daily reminder of this Nation's past accomplishments and ongoing dedication to safeguarding individual rights and political freedom. Whether it is being carried into battle by the brave members of our armed forces as they fulfill their missions in defense of democracy and peace or flying over the public buildings, the flag is a badge of honor for all to see—a sign of our citizens' common purpose.

This week and throughout the year let us do all we can to teach younger generations the significance of our flag and to respect the men and women who have fallen to protect it. In red, white, and blue, we see the spirit of a Nation, the resilience of our Union, and the promise of a future forged in common purpose and dedication to the principles that have always kept America strong. As we reflect on our heritage, let us remember that our destiny is stitched together like those 50 stars and 13 stripes, united as one, with liberty and justice for all.

TRIBUTE TO ANGELO ROPPOLO

Ms. LANDRIEU. Mr. President, today I wish to ask my colleagues to join me in honoring Mr. Angelo Roppolo and extending my appreciation for his extraordinary accomplishments and dedication to the city of Shreveport and the State of Louisiana.

Mr. Roppolo is a modest man who seldom takes credit for his achievements and is known throughout his community as someone who avoids the spotlight. He has an unwavering loyalty to his family and friends and has never been known to abandon his core beliefs and principles.

Mr. Roppolo stands for righteousness and justice, and he has never hesitated to support a candidate who has challenged the norm. Mr. Roppolo has played integral roles in many landmark political events in Louisiana. He was involved in organizing and planning the campaigns of the first African American judge to be elected in Shreveport and in Caddo Parish, along with the campaigns of the first female judge in Caddo Parish and the first female judge on the 2nd Circuit Court of Appeals. Mr. Roppolo also served as the north Louisiana campaign chairman for Governor Kathleen Blanco, who was the first female to be elected as Governor of Louisiana.

Along with his love for the political process, Mr. Roppolo is also a strong supporter of entrepreneurs in Shreveport. He was a founder of the South Shreveport Business Association, an organization dedicated to the success of businesses within the rapidly growing area of his community. He has also helped many individuals gain financing for their endeavors and has seen many of these ventures grow and prosper into successful businesses.

Mr. Roppolo is a kind and caring man who has always given praise and gratitude to the men and women in the armed services who serve and protect this country. Mr. Roppolo is a source of inspiration for all who know him. He is beloved throughout his community and the city of Shreveport, where his family and friends alike respect and admire all he has done for those around him.

It is with a special measure of sincerity and heartfelt commendation for the mark he has left of the State of Louisiana that I ask my colleagues to join me along with Mr. Roppolo's family in honoring and celebrating the life of this most extraordinary person.

ADDITIONAL STATEMENTS

RECOGNIZING ST. PIUS VEREIN

● Mr. CONRAD. Mr. President, I am pleased to honor St. Pius Verein, a social and fraternal organization in North Dakota that will soon celebrate its 100th anniversary. On June 23 and 24 of this year, the community of Schefield will host a celebration to recognize St. Pius Verein's history and founding.

The town of Schefield started with the establishment of the St. Pius Catholic Church, which was built in 1910. The town's name is said to be derived from ''schoenfeld,'' the German word for beautiful field. In 1912, St. Pius Verein was founded by German settlers from Russia. The organization was first started as a way to unite the community. Members especially enjoyed singing and playing instruments together. Today, St. Pius Verein has 440 members. All members pay dues and contribute to a survivor benefit program that pays a benefit to families that experience a loss. St. Pius Verein holds monthly meetings, in addition to an annual picnic held on St. Pius Day. Schefield takes great pride in the history of St. Pius Verein, and the community is expecting an enjoyable gathering.

To celebrate the 100-year anniversary of St. Pius Verein, Schefield residents and visitors will participate in many fun-filled activities. Over the span of 2 days, the celebrants will enjoy children's games, a town dance, a citywide mass at St. Pius Verein Hall, a parade, an antique tractor pull, and an old-time jam session. DVDs will also be sold that describe the proud history of the town. Although many St. Pius Verein members no longer live in Schefield, the town is expecting big numbers for the celebration.

Mr. President, I ask the Senate to join me in congratulating St. Pius

Verein and the Schefield residents on the organization's 100th anniversary and in wishing them a bright future.●

TRIBUTE TO IMRE HIR

● Mr. ISAKSON. Mr. President, I wish to honor in the RECORD of the Senate an honorable American and a great Georgian, Mr. Imre Hir, on the occasion of his retirement after 40 years as general manager of Atlanta Country Club.

Imre is a native of Hungary where, in 1956, he was part of a youth movement in that country that helped drive the Soviets out. When the Soviets later returned to Hungary, Imre was forced to leave his country and sought refuge in Austria. While in Austria, Imre was debriefed by the U.S. Central Intelligence Agency, which later arranged to bring him to the United States. Shortly after arriving in the United States, Imre served in the U.S. Army.

After completing his service in the military, Imre worked his way up from a dishwasher at the Red Coach Grill in Boston, MA, to becoming the general manager of Druid Hills Country Club in Atlanta in 1969. He then went on to serve as the general manager of the Atlanta Country Club, where he has held that position until this month, retiring after 40 great years.

Imre is an example of an individual who has lived the American dream, and his story is one of many among immigrants who have come to the United States—the land of opportunity—and built successful lives through hard work and perseverance.

I congratulate Imre Hir for a successful career and the contributions he has made to the United States. I wish him well in his retirement.●

SEEDS OF PEACE 20TH ANNIVERSARY

● Ms. SNOWE. Mr. President, today I wish to join with individuals across the world in recognizing the 20th anniversary of the founding of Seeds of Peace, an organization dedicated to the advancement of peace through understanding, reconciliation, acceptance, and coexistence among people, and established on the principle that long-term peace within or between nations can only be achieved with the emergence of a new generation of leaders who choose dialogue over violence.

Seeds of Peace's first camp session in 1993 was a labor of love for the late founder and esteemed journalist, John Wallach. That summer, under the leadership of Wallach, Bobbie Gottschalk, and Timothy Wilson, Seeds of Peace hosted 46 Arab and Israeli teenagers at its first summer camp in my home State of Maine. Since that day, the organization has blossomed into a full-fledged leadership program, which spans 27 countries with full staff in Amman, Gaza, Jerusalem, Kabul, Lahore, Mumbai, New York, Otisfield, Ramallah, and Tel Aviv.

Today, for 3 weeks at a time, during the months of June, July, and August, on the beautiful shores of Pleasant Lake in Otisfield, ME, Seeds of Peace brings together young people and educators from areas immersed in civil conflict, war, and other political and social unrest, to learn about coexistence and conflict resolution at their international summer camp. Camp participants engage with one another in both guided coexistence sessions and typical summer camp activities, which expose the human face that lie behind ethnic, religious, and political differences.

Now, under the acclaimed leadership of Leslie Lewin, Seeds of Peace has prepared over 5,000 alumni, known as ''Seeds,'' primarily from the Middle East, South Asia, the Balkans, and Cyprus, for roles of leadership by offering them not only the unmatched summer camp experience of sleeping next to, eating alongside, and swimming with those who are their alleged enemies, but also a robust and worthwhile slate of intensive, year-round programs encircling the globe, which are focused on further refining the skills learned and relationships built at camp.

Seeds of Peace is a testament to the importance of conflict resolution and reconciliation programs as a tool for creating peace, and the program is indisputably making a difference in the lives of its Seeds each and every day. It is no surprise that Seeds of Peace is strongly supported by participating governments and many world leaders, and I urge my colleagues to join me in recognizing the organization's contributions to the advancement of peace—which all began with a 3 week stint at a summer camp in Maine 20 years ago. Seeds of Peace provides a promise for a better future, and I enthusiastically welcome its continued efforts for years to come.●

RECOGNIZING FALMOUTH HERITAGE MUSEUM

● Ms. SNOWE. Mr. President, today I wish to recognize the Falmouth Historical Society and the Falmouth Heritage Museum, located in my hometown of Falmouth, ME. Through their steadfast commitment to preserving the past, future generations of Mainers and Americans alike will be able to not only witness, but understand the richness of their heritage.

Established in 1966, the Falmouth Historical Society was founded upon the venerable goal of preserving and sharing the town's vast and storied history. In order to accomplish that objective, members have tirelessly researched, collected, and catalogued hundreds of years of Falmouth's sacred artifacts, while the society has sponsored several outreach and awareness events for local residents as well as visitors. Indeed, through educational programs, research assistance, and newsletters, the society works diligently to reach an ever-broadening audience in the effort to showcase their many other activities, including photo exhibits, genealogical inquiries, and the Maine Heritage Day event held in September.

It was back in November of 2004 when the Falmouth Historical Society began the long and arduous process of opening a permanent museum to house their historical treasures. The original building which housed the museum was first built in 1830 and donated to the Society by Dr. David Andrews and his wife Jan for whom the house was their private home. The house was then moved in 2005 to land donated by the town of Falmouth, and following years of preparation and hard work the Falmouth Heritage Museum first opened its doors in June of 2008.

Today, the Falmouth Heritage Museum provides a unique glimpse into the past and plays a vital role in the preservation of artifacts. By serving as a new home to pieces of Maine's history, the museum offers the opportunity for historic items to serve as tools of learning and a window to the past. With knowledgeable docents to answer questions and provide greater insight into the exhibits and the early history of Falmouth, the museum provides a fun and interactive way to engage our past. Furthermore, the museum recently completed work on a new storage and display barn, which will serve as a home to the ever growing number of historical treasures. The grand opening of the barn coincides with the annual opening day festivities of the museum, this year being held on June 23.

Falmouth's rich history is well preserved thanks to the efforts of the Falmouth Historical Society and the Falmouth Heritage Museum. It is through their hard work that we are able to so readily access and learn from the past. As we look to the future of Falmouth and of Maine, we treasure the path we have already traveled. I am proud to extend my gratitude, congratulations, and praise to the Falmouth Historical Society and the Falmouth Heritage Museum for their many contributions and accomplishments. I look forward to seeing their continued growth, knowing that they will one day play a vital role in preserving the history of our present day.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6516. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Tomatoes From the Economic Community of West African States Into the Continental United States'' ((RIN0579–AD48) (Docket No. APHIS–2011–0012)) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6517. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Highly Pathogenic Avian Influenza'' ((RIN0579–AC36) (Docket No. APHIS–2006–0074)) received in the Office of the President of the Senate on June 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6518. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral John M. Bird, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–6519. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral James W. Houck, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–6520. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Charles B. Green, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6521. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Gary L. North, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6522. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Duane D. Thiessen, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6523. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Dennis J. Hejlik, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6524. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2011 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC–6525. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Heating, Cooling, and Lighting Standards for Bureau-Funded Dormitory Facilities'' (RIN1076–AF10) received in the Office of the President of the Senate on June 7, 2012; to the Committee on Indian Affairs.

EC–6526. A communication from the Chair of the Federal Election Commission, transmitting, pursuant to law, a report relative to five legislative recommendations; to the Committee on Rules and Administration.

EC–6527. A communication from the Deputy Assistant Secretary, Department of Labor, transmitting, pursuant to law, the Annual Report of the Department of Labor's Veterans' Employment and Training Service for fiscal year 2011; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Appropriations, without amendment:

S. 3295. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–176).

By Mr. DURBIN, from the Committee on Appropriations, without amendment:

S. 3301. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–177).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MCCASKILL (for herself, Mr. BLUNT, Mr. WICKER, and Mr. COCHRAN):

S. 3293. A bill to amend title 28, United States Code, to realign divisions within two judicial districts; to the Committee on the Judiciary.

By Mr. BROWN of Massachusetts:

S. 3294. A bill to dedicate funds from the Crime Victims Fund to victims of elder abuse, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 3295. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TESTER:

S. 3296. A bill to provide for the protection of the flag of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. MERKLEY, and Mr. KERRY):

S. 3297. A bill to amend the Worker Adjustment and Retraining Notification Act to minimize the adverse effects of employment dislocation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL:

S. 3298. A bill to amend the Oil Pollution Act of 1990 to establish the Federal Oil Spill Research Committee, and to amend the Federal Water Pollution Control Act to include in a response plan certain planned and demonstrated investments in research relating to discharges of oil and to modify the dates by which a response plan must be updated; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 3299. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to receive charitable contributions of apparently wholesome food; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mr. ALEXANDER, Ms. CANTWELL, Mr. UDALL of New Mexico, and Mrs. MURRAY):

S. 3300. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 3301. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. PAUL:

S. 3302. A bill to establish an air travelers' bill of rights, to implement those rights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PAUL:

S. 3303. A bill to require security screening of passengers at airports to be carried out by private screening companies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mr. HOEVEN):

S.J. Res. 44. A joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mr. CHAMBLISS, Mr. CARDIN, Mr. AKAKA, and Mr. WYDEN):

S. Res. 493. A resolution recognizing that the occurrence of prostate cancer in African-American men has reached epidemic proportions and urging Federal agencies to address that health crisis by supporting education, awareness outreach, and research specifically focused on how prostate cancer affects African-American men; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. DURBIN, Ms. AYOTTE, Mrs. GILLIBRAND, Mrs. BOXER, Mr. RISCH, and Mr. MENENDEZ):

S. Res. 494. A resolution condemning the Government of the Russian Federation for providing weapons to the regime of President Bashar al-Assad of Syria; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. INOUYE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 50, a bill to strengthen Federal consumer product safety programs and activities with respect to commercially marketed seafood by directing the Secretary of Commerce to

coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

S. 52

At the request of Mr. INOUYE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 52, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 102

At the request of Mr. MCCAIN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 250

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 250, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 697

At the request of Mr. CASEY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 866

At the request of Mr. TESTER, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 1086

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1096

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1096, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under the Medicare part B program by extending the minimum payment amount for bone mass measurement under such program through 2013.

S. 1102

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1102, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 1468

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1468, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1613

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1613, a bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2077

At the request of Mr. BLUMENTHAL, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2077, a bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes.

S. 2103

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2168

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2168, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 2376

At the request of Ms. SNOWE, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 2376, a bill to recognize and clarify the authority of the States to regulate air ambulance medical standards pursuant to their authority over the regulation of health care services within their borders, and for other purposes.

S. 3225

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3225, a bill to require the United States Trade Representative to provide documents relating to trade negotiations to Members of Congress and their staff upon request, and for other purposes.

S. 3235

At the request of Mr. PRYOR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3235, a bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training, that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses, and for other purposes.

S. 3248

At the request of Mr. ENZI, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3248, a bill to designate the North American bison as the national mammal of the United States.

S. 3263

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3263, a bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes.

S. 3270

At the request of Mr. WYDEN, the names of the Senator from Idaho (Mr.

RISCH) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3270, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes.

S. RES. 401

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 428

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 428, a resolution condemning the Government of Syria for crimes against humanity, and for other purposes.

S. RES. 435

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

S. RES. 489

At the request of Mr. MCCAIN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. Res. 489, a resolution expressing the sense of the Senate on the appointment by the Attorney General of an outside special counsel to investigate certain recent leaks of apparently classified and highly sensitive information on United States military and intelligence plans, programs, and operations.

S. RES. 490

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 490, a resolution designating the week of September 16, 2012, as ''Mitochondrial Disease Awareness Week'', reaffirming the importance of an enhanced and coordinated research effort on mitochondrial diseases, and commending the National Institutes of Health for its efforts to improve the understanding of mitochondrial diseases.

S. RES. 492

At the request of Mr. BLUMENTHAL, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. Res. 492, a resolution designating June 15, 2012, as ''World Elder Abuse Awareness Day''.

AMENDMENT NO. 2156

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2156 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2170

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2170 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2175

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2175 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2187

At the request of Mr. KERRY, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 2187 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2188

At the request of Mr. KERRY, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 2188 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2199

At the request of Mr. MCCAIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 2199 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2220

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2220 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2224

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2224 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2232

At the request of Mr. TESTER, the names of the Senator from Virginia (Mr. WARNER), the Senator from North Dakota (Mr. HOEVEN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 2232 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2240

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2240 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2241

At the request of Mr. NELSON of Nebraska, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2241 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2242

At the request of Mr. NELSON of Nebraska, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2242 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2244

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 2244 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2253

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 2253 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2259

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2259 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2295

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2295 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2302

At the request of Mr. RISCH, the names of the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. THUNE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 2302 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2306

At the request of Ms. MURKOWSKI, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 2306 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2325

At the request of Mr. CHAMBLISS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 2325 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2366

At the request of Mrs. HAGAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2366 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2367

At the request of Mr. CRAPO, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 2367 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2382

At the request of Mr. MERKLEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2382 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2385

At the request of Mr. TESTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 2385 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2386

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 2386 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2396

At the request of Mr. AKAKA, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 2396 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2399

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 2399 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2413

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 2413 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2416

At the request of Mr. PRYOR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of amendment No. 2416 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

AMENDMENT NO. 2418

At the request of Mr. LIEBERMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 2418 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 493—RECOGNIZING THAT THE OCCURRENCE OF PROSTATE CANCER IN AFRICAN-AMERICAN MEN HAS REACHED EPIDEMIC PROPORTIONS AND URGING FEDERAL AGENCIES TO ADDRESS THAT HEALTH CRISIS BY SUPPORTING EDUCATION, AWARENESS OUTREACH, AND RESEARCH SPECIFICALLY FOCUSED ON HOW PROSTATE CANCER AFFECTS AFRICAN-AMERICAN MEN

Mr. KERRY (for himself, Mr. CHAMBLISS, Mr. CARDIN, Mr. AKAKA, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 493

Whereas the incidence of prostate cancer in African-American men is more than one and a half times higher than in any other racial or ethnic group in the United States;

Whereas African-American men have the highest mortality rate of any ethnic and racial group in the United States, dying at a rate that is approximately two and a half times higher than other ethnic and racial groups;

Whereas that rate of mortality represents the largest disparity of mortality rates in any of the major cancers;

Whereas prostate cancer can be cured with early detection and the proper treatment, regardless of the ethnic or racial group of the cancer patient;

Whereas African Americans are more likely to be diagnosed at an earlier age and at a later stage of cancer progression than all other ethnic and racial groups, leading to lower cure rates and lower chances of survival;

Whereas, for cases diagnosed early, studies show a 5-year survival rate of nearly 100 percent, but the survival rate drops significantly to 28 percent for cases diagnosed in late stages; and

Whereas recent genomics research has increased the ability to identify men at high risk for aggressive prostate cancer: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that prostate cancer has created a health crisis for African-American men;

(2) recognizes the importance of health coverage and access to care, as well as promoting informed decision making between men and their doctors, taking into consideration the known risks and potential benefits of screening and treatment options for prostate cancer;

(3) urges Federal agencies to support—

(A) research to address and attempt to end the health crisis created by prostate cancer;

(B) efforts relating to education, awareness, and early detection at the grassroots level to end that health crisis; and

(C) the Office of Minority Health of the Department of Health and Human Services in focusing on improving health and healthcare outcomes for African Americans at an elevated risk of prostate cancer; and

(4) urges investment by the National Cancer Institute and National Institute of Biomedical Imaging and Bioengineering, and other elements of the National Institutes of Health, as well as the Department of Defense, in research focusing on the improvement of early detection and treatment of prostate cancer, such as by using biomarkers to accurately distinguish indolent forms of prostate cancer from lethal forms and advanced imaging tools to assure the best level of individualized patient care.

Mr. KERRY. Mr. President, as we approach Father's Day, I would like to take the opportunity to discuss an important men's health issue that has personally affected my family and the families of many of my colleagues in the Chamber.

Prostate cancer is the most common cancer in men. Every year, more than 200,000 men are diagnosed with prostate cancer, and more than 25,000 men die from it. When caught early, five-year survival rates are near 100 percent. But when this cancer is caught in later stages, the survival rate drops significantly to only 28 percent.

African-American men are one and a half times more likely to get prostate cancer and two and a half times more likely to be killed by it than any other racial or ethnic group in the United States. As we move forward with better screening and treatment options, we must also close disparity gaps so all men have improved outcomes.

This is why Senators CHAMBLISS, CARDIN, AKAKA, WYDEN and I are submitting a resolution to recognize the disproportionate occurrence of prostate cancer in African-American men. This resolution acknowledges the importance of health care coverage for prostate cancer screenings and the need for informed decision making between men and their doctors, taking into consideration the known risks and potential benefits of screening and treatment options. It also encourages Federal agencies to place a greater emphasis on education, awareness, and research focused on improved screening tools such

as more effective biomarkers and advanced imaging.

I would like to recognize the Prostate Health Education Network, PHEN, AdMeTech Foundation, and ZERO—The Project to End Prostate Cancer for their work on the development of this resolution and their ongoing advocacy to support innovative research that holds real promise in turning the tide against cancer.

I look forward to working with my colleagues in the Senate to pass this important resolution.

SENATE RESOLUTION 494—CONDEMNING THE GOVERNMENT OF THE RUSSIAN FEDERATION FOR PROVIDING WEAPONS TO THE REGIME OF PRESIDENT BASHAR AL-ASSAD OF SYRIA

Mr. CORNYN (for himself, Mr. DURBIN, Ms. AYOTTE, Mrs. GILLIBRAND, Mrs. BOXER, Mr. RISCH, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 494

Whereas the Government of the Russian Federation has an extensive history of providing weapons and political support to the regime of President Bashar al-Assad of Syria, a country designated by the Secretary of State as a ''state sponsor of terrorism'';

Whereas, at the Port of Tartus in Syria, the Government of the Russian Federation maintains for the Russian Navy its only permanent warm-water naval port outside of the former Soviet Union, which bolsters the Assad regime;

Whereas the Assad regime responded to the widespread, peaceful, and sustained calls for political reform that began in March 2011 in a manner that has caused the deaths of more than 10,000 people in Syria, mostly civilians, as of June 2012, according to an estimate by the United Nations;

Whereas the Government of the Russian Federation remains the top supplier of weapons to the Government of Syria, reportedly providing nearly $1,000,000,000 worth of arms to the Government of Syria in 2011 alone;

Whereas the Government of the Russian Federation has unabatedly continued to ship arms to the Government of Syria during the ongoing popular uprisings;

Whereas, on October 4, 2011, the Russian Federation, together with the People's Republic of China, vetoed a United Nations Security Council resolution that would have condemned ''grave and systematic human rights violations'' in Syria and would have warned the Government of Syria of the actions, including sanctions, to be considered against it, if warranted;

Whereas, on January 18, 2012, Foreign Minister of the Russian Federation Sergei Lavrov criticized ''the sending of so-called humanitarian convoys to Syria'';

Whereas, on January 19, 2012, Foreign Minister Lavrov stated that, with regard to the Government of Syria, ''For us, the red line is fairly clearly drawn. We will not support any sanctions.'';

Whereas, on February 4, 2012, the Russian Federation, together with the People's Republic of China, vetoed a United Nations Security Council resolution calling for an end to the violence in Syria, demanding that all parties in Syria cease all violence and reprisals and implement the plan set out by the League of Arab States, expressing grave concern for the deteriorating situation in Syria, and condemning the widespread gross violations of human rights;

Whereas, on March 13, 2012, Deputy Minister of Defence of the Russian Federation Anatoly Antonov stated that the Government of the Russian Federation would not halt arms shipments to Syria, acknowledging that the Government of the Russian Federation has military instructors on the ground training the Syrian Arab Army and stating, ''Russia enjoys good and strong military technical co-operation with Syria, and we see no reason to reconsider it. Russian-Syria military co-operation is perfectly legitimate.'';

Whereas, on May 30, 2012, Permanent Representative of the United States to the United Nations Susan Rice condemned recent reports of an arms shipment that arrived in Syria from the Russian Federation on May 26, 2012, as ''reprehensible,'' stating that ''this is obviously of the utmost concern given that the Syrian government continues to use deadly forces against civilians'';

Whereas, on May 31, 2012, Secretary of State Hillary Clinton stated that the policy of the Government of the Russian Federation toward the Government of Syria ''is going to help contribute to a civil war,'' maintaining that Russian officials ''are just vociferous in their claim that they are providing a stabilizing influence,'' and stating, ''I reject that. I think they are, in effect, propping up the regime at a time when we should be working on a political transition.'';

Whereas the Government of the Russian Federation has thus far failed to effectively use its influence and relationship with the Assad regime to halt the murder of civilians in Syria, including the massacre of over 100 people, many of them women and children, in Houla on May 25 to 26, 2012;

Whereas Russian Federation President Vladimir Putin rejected appeals by President of France François Hollande for tougher United Nations sanctions aimed at ending violence in Syria;

Whereas, on June 5, 2012, Secretary of State Clinton stated that ''it's pretty clear that we all have to intensify our efforts to speed a political transition. . . . And we invite the Russians and the Chinese to be part of the solution of what is happening in Syria'';

Whereas, on June 7, 2012, Permanent Representative of the Russian Federation to the United Nations Vitaly Churkin publicly criticized the Governments of Saudi Arabia and Qatar for supporting the opposition in Syria; and

Whereas, on June 12, 2012, Secretary of State Clinton stated that ''there are attack helicopters on the way from Russia to Syria, which will escalate the conflict quite dramatically'': Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of the Russian Federation for—

(A) its longstanding and ongoing support for the criminal regime of President Bashar al-Assad in Syria;

(B) continuing to transfer weapons to the Assad regime, which cannot be considered legitimate for purposes of self-defense; and

(C) its troubling opposition to resolutions from the United Nations Security Council regarding Syria, including those recently tabled by the United States;

(2) concludes that the actions of the Government of the Russian Federation—

(A) have enabled the Assad regime to maintain power and perpetrate mass atrocities against its own people; and

(B) directly undermine the core national security interests of the United States, as well as the stability of the entire Middle East; and

(3) urges the Government of the Russian Federation to—

(A) immediately end all transfers of weapons to the Assad regime;

(B) call on the Assad regime to end all violence against civilians;

(C) support international sanctions against Syria; and

(D) support a peaceful transition of leadership in the Government of Syria, starting with the early departure of Bashar al-Assad.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2423. Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table.

SA 2424. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2425. Mr. CONRAD (for himself, Mr. BAUCUS, Mr. HOEVEN, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2426. Mr. COONS (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2427. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2428. Mr. BAUCUS (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2429. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2430. Mr. BROWN of Ohio (for himself, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. FRANKEN, Mr. TESTER, Mr. BEGICH, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2431. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2432. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2433. Mr. TOOMEY (for himself, Mrs. SHAHEEN, and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2434. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2435. Mr. WARNER (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2436. Mr. NELSON of Florida (for himself, Mr. MENENDEZ, Mr. CARDIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2437. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2438. Mr. CHAMBLISS submitted an amendment intended to be proposed by him

to the bill S. 3240, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2423. Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 6 of the amendment, between lines 18 and 19, insert the following:

SEC. 13105. HERITAGE OF RECREATIONAL FISHING, HUNTING, AND RECREATIONAL SHOOTING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL PUBLIC LAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''Federal public land'' means any land or water that is—

(i) owned by the United States; and

(ii) managed by a Federal agency (including the Department of the Interior and the Forest Service) for purposes that include the conservation of natural resources.

(B) EXCLUSIONS.—The term ''Federal public land'' does not include—

(i) land or water held or managed in trust for the benefit of Indians or other Native Americans;

(ii) land managed by the Director of the National Park Service or the Director of the United States Fish and Wildlife Service;

(iii) fish hatcheries; or

(iv) conservation easements on private land.

(2) HUNTING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''hunting'' means use of a firearm, bow, or other authorized means in the lawful—

(i) pursuit, shooting, capture, collection, trapping, or killing of wildlife; or

(ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife.

(B) EXCLUSION.—The term ''hunting'' does not include the use of skilled volunteers to cull excess animals (as defined by other Federal law).

(3) RECREATIONAL FISHING.—The term ''recreational fishing'' means—

(A) an activity for sport or for pleasure that involves—

(i) the lawful catching, taking, or harvesting of fish; or

(ii) the lawful attempted catching, taking, or harvesting of fish; or

(B) any other activity for sport or pleasure that can reasonably be expected to result in the lawful catching, taking, or harvesting of fish.

(4) RECREATIONAL SHOOTING.—The term ''recreational shooting'' means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

(b) RECREATIONAL FISHING, HUNTING, AND RECREATIONAL SHOOTING.—

(1) IN GENERAL.—Subject to valid existing rights, and in cooperation with the respective State and fish and wildlife agency, a Federal public land management official shall exercise the authority of the official under existing law (including provisions regarding land use planning) to facilitate use of and access to Federal public land for recreational fishing, hunting, and recreational shooting except as limited by—

(A) any law that authorizes action or withholding action for reasons of national security, public safety, or resource conservation;

(B) any other Federal law that precludes recreational fishing, hunting, or recreational shooting on specific Federal public land or water or units of Federal public land; and

(C) discretionary limitations on recreational fishing, hunting, and recreational shooting determined to be necessary and reasonable as supported by the best scientific evidence and advanced through a transparent public process.

(2) MANAGEMENT.—Consistent with paragraph (1), the head of each Federal public land management agency shall exercise the land management discretion of the head—

(A) in a manner that supports and facilitates recreational fishing, hunting, and recreational shooting opportunities;

(B) to the extent authorized under applicable State law; and

(C) in accordance with applicable Federal law.

(3) PLANNING.—

(A) EFFECTS OF PLANS AND ACTIVITIES.—

(i) EVALUATION OF EFFECTS ON OPPORTUNITIES TO ENGAGE IN RECREATIONAL FISHING, HUNTING, OR RECREATIONAL SHOOTING.—Federal public land planning documents (including land resources management plans, resource management plans, travel management plans, and energy development plans) shall include a specific evaluation of the effects of the plans on opportunities to engage in recreational fishing, hunting, or recreational shooting.

(ii) OTHER ACTIVITY NOT CONSIDERED.—

(I) IN GENERAL.—Federal public land management officials shall not be required to consider the existence or availability of recreational fishing, hunting, or recreational shooting opportunities on private or public land that is located adjacent to, or in the vicinity of, Federal public land for purposes of—

(aa) planning for or determining which units of Federal public land are open for recreational fishing, hunting, or recreational shooting; or

(bb) setting the levels of use for recreational fishing, hunting, or recreational shooting on Federal public land.

(II) ENHANCED OPPORTUNITIES.—Federal public land management officials may consider the opportunities described in subclause (I) if the combination of those opportunities would enhance the recreational fishing, hunting, or shooting opportunities available to the public.

(B) USE OF VOLUNTEERS.—If hunting is prohibited by law, all Federal public land planning document described in subparagraph (A)(i) of an agency shall, after appropriate coordination with State fish and wildlife agencies, allow the participation of skilled volunteers in the culling and other management of wildlife populations on Federal public land unless the head of the agency demonstrates, based on the best scientific data available or applicable Federal law, why skilled volunteers should not be used to control overpopulation of wildlife on the land that is the subject of the planning document.

(4) BUREAU OF LAND MANAGEMENT AND FOREST SERVICE LAND.—

(A) LAND OPEN.—

(i) IN GENERAL.—Land under the jurisdiction of the Bureau of Land Management or the Forest Service (including a component of the National Wilderness Preservation System, land designated as a wilderness study area or administratively classified as wilderness eligible or suitable, and primitive or semiprimitive areas, but excluding land on the outer Continental Shelf) shall be open to recreational fishing, hunting, and recreational shooting unless the managing Federal public land agency acts to close the land to such activity.

(ii) MOTORIZED ACCESS.—Nothing in this subparagraph authorizes or requires motorized access or the use of motorized vehicles for recreational fishing, hunting, or recreational shooting purposes within land designated as a wilderness study area or administratively classified as wilderness eligible or suitable.

(B) CLOSURE OR RESTRICTION.—Land described in subparagraph (A) may be subject to closures or restrictions if determined by the head of the agency to be necessary and reasonable and supported by facts and evidence for purposes including resource conservation, public safety, energy or mineral production, energy generation or transmission infrastructure, water supply facilities, protection of other permittees, protection of private property rights or interests, national security, or compliance with other law, as determined appropriate by the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable.

(C) SHOOTING RANGES.—

(i) IN GENERAL.—Except as provided in clause (iii), the head of each Federal public land agency may use the authorities of the head, in a manner consistent with this section and other applicable law—

(I) to lease or permit use of land under the jurisdiction of the head for shooting ranges; and

(II) to designate specific land under the jurisdiction of the head for recreational shooting activities.

(ii) LIMITATION ON LIABILITY.—Any designation under clause (i)(II) shall not subject the United States to any civil action or claim for monetary damages for injury or loss of property or personal injury or death caused by any recreational shooting activity occurring at or on the designated land.

(iii) EXCEPTION.—The head of each Federal public land agency shall not lease or permit use of Federal public land for shooting ranges or designate land for recreational shooting activities within including a component of the National Wilderness Preservation System, land designated as a wilderness study area or administratively classified as wilderness eligible or suitable, and primitive or semiprimitive areas.

(5) REPORT.—Not later than October 1 of every other year, beginning with the second October 1 after the date of enactment of this Act, the head of each Federal public land agency who has authority to manage Federal public land on which recreational fishing, hunting, or recreational shooting occurs shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) any Federal public land administered by the agency head that was closed to recreational fishing, hunting, or recreational shooting at any time during the preceding year; and

(B) the reason for the closure.

(6) CLOSURES OR SIGNIFICANT RESTRICTIONS OF 1,280 OR MORE ACRES.—

(A) IN GENERAL.—Other than closures established or prescribed by land planning actions referred to in paragraph (4)(B) or emergency closures described in subparagraph (C), a permanent or temporary withdrawal, change of classification, or change of management status of Federal public land or water that effectively closes or significantly restricts 1,280 or more contiguous acres of Federal public land or water to access or use for recreational fishing or hunting or activities relating to fishing or hunting shall take effect only if, before the date of withdrawal or change, the head of the Federal public land agency that has jurisdiction over the Federal public land or water—

(i) publishes appropriate notice of the withdrawal or change, respectively;

(ii) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(iii) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(B) AGGREGATE OR CUMULATIVE EFFECTS.—If the aggregate or cumulative effect of separate withdrawals or changes effectively closes or significant restrictions affects 1,280 or more acres of land or water, the withdrawals and changes shall be treated as a single withdrawal or change for purposes of subparagraph (A).

(C) EMERGENCY CLOSURES.—

(i) IN GENERAL.—Nothing in this section prohibits a Federal public land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area of Federal public land to provide for public safety, resource conservation, national security, or other purposes authorized by law.

(ii) TERMINATION.—An emergency closure under clause (i) shall terminate after a reasonable period of time unless the temporary closure is converted to a permanent closure consistent with this subsection.

(7) NO PRIORITY.—Nothing in this section requires a Federal agency to give preference to recreational fishing, hunting, or recreational shooting over other uses of Federal public land or over land or water management priorities established by other Federal law.

(8) CONSULTATION WITH COUNCILS.—In carrying out this section, the heads of Federal public land agencies shall consult with the appropriate advisory councils established under Executive Order 12962 (16 U.S.C. 1801 note; relating to recreational fisheries) and Executive Order 13443 (16 U.S.C. 661 note; relating to facilitation of hunting heritage and wildlife conservation).

(9) AUTHORITY OF STATES.—

(A) IN GENERAL.—Nothing in this section interferes with, diminishes, or conflicts with the authority, jurisdiction, or responsibility of any State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water within the State, including on Federal public land.

(B) FEDERAL LICENSES.—

(i) IN GENERAL.—Except as provided in clause (ii), nothing in this section authorizes the head of a Federal public land agency head to require a license, fee, or permit to fish, hunt, or trap on land or water in a State, including on Federal public land in the State.

(ii) MIGRATORY BIRD STAMPS.—This subparagraph shall not affect any migratory bird stamp requirement of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a et seq.).

SA 2424. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 3904 of the Consolidated Farm and Rural Development Act (as amended by section 6001), strike subsections (a) and (b).

SA 2425. Mr. CONRAD (for himself, Mr. BAUCUS, Mr. HOEVEN, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1102 and insert the following:

SEC. 1102. COUNTER-CYCLICAL PROGRAM.

(a) IN GENERAL.—Section 1104 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714) is amended—

(1) in subsection (a), by striking ''2008 through 2012 crop years for each covered commodity'' and inserting ''2013 through 2017 crop years for each covered commodity (other than upland cotton)'';

(2) in subsection (b), by striking ''during the 12-month marketing year'' each place it appears in paragraphs (1)(A)(i) and (2)(A)(i) and inserting ''for the first 5 months of the marketing year'';

(3) in subsection (c), by adding at the end the following:

''(4) 2013 THROUGH 2017 CROP YEARS.—For purposes of each of the 2013 through 2017 crop years, the target prices for covered commodities shall be as follows:

''(A) Wheat, $4.46 per bushel.

''(B) Corn, $2.81 per bushel.

''(C) Grain sorghum, $2.81 per bushel.

''(D) Feed barley, $2.81 per bushel.

''(E) Malt-type barley, $3.57 per bushel.

''(F) Oats, $1.92 per bushel.

''(G) Long grain rice, $11.00 per hundredweight.

''(H) Medium grain rice, $11.00 per hundredweight.

''(I) Soybeans, $6.30 per bushel.

''(J) Other oilseeds, $13.18 per hundredweight.

''(K) Dry peas, $8.82 per hundredweight.

''(L) Lentils, $13.31 per hundredweight.

''(M) Small chickpeas, $10.86 per hundredweight.

''(N) Large chickpeas, $13.31 per hundredweight.'';

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (e) the following:

''(f) PAYMENT AMOUNT.—

''(1) DEFINITIONS.—In this subsection:

''(A) PAYMENT ACRES.—The term 'payment acres' means—

''(i) 75 percent of the acres planted or prevented from being planted to a covered commodity on a farm; but

''(ii) not to exceed 75 percent of the total base acres for the covered commodity established for the 2012 crop year.

''(B) PAYMENT YIELD.—The term 'payment yield' means the yield established for counter-cyclical payments for the 2012 crop year for a farm for a covered commodity.

''(2) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid under this section for any of the 2013 through 2017 crop years of a covered commodity, the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

''(A) The payment rate specified in subsection (d).

''(B) The payment acres of the covered commodity on the farm.

''(C) The payment yield for the covered commodity for the farm.''.

(b) PEANUTS.—Section 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8754) is amended—

(1) in subsection (a), by striking ''2008 through 2012'' and inserting ''2013 through 2017'';

(2) in subsection (b)(1)(A), by striking ''during the 12-month marketing year'' and inserting ''for the first 5 months of the marketing year'';

(3) in subsection (c), by striking ''$495 per ton'' and inserting ''$25.25 per hundredweight'';

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (e) the following:

''(f) PAYMENT AMOUNT.—

''(1) DEFINITIONS.—In this subsection:

''(A) PAYMENT ACRES.—The term 'payment acres' means—

''(i) 75 percent of the acres planted or prevented from being planted to peanuts on a farm; but

''(ii) not to exceed 75 percent of the total base acres for peanuts established for the 2012 crop year.

''(B) PAYMENT YIELD.—The term 'payment yield' means the yield established for counter-cyclical payments for the 2012 crop year for a farm for peanuts.

''(2) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid under this section for any of the 2013 through 2017 crop years of peanuts., the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

''(A) The payment rate specified in subsection (d).

''(B) The payment acres on the farm.

''(C) The payment yield for the farm.''.

(c) PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.—Section 1106 shall apply to counter-cyclical payments under sections 1104 and 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714, 8754) (as amended by this section) in the same manner as that section applies to agriculture risk coverage payments.

(d) PAYMENT LIMITATIONS.—Section 1101(b) of the Food Security Act of 1985 (as amended by section 1603(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B) and indenting appropriately;

(2) by striking ''The total'' and inserting the following:

''(1) IN GENERAL.—The total''; and

(3) by adding at the end the following:

''(2) LIMITATION ON COUNTER-CYCLICAL PAYMENTS.—

''(A) IN GENERAL.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under section 1104 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714) for 1 or more covered commodities (except for peanuts) may not exceed $65,000.

''(B) PEANUTS.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under section 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8754) for peanuts may not exceed $65,000.''.

(e) PERIOD OF EFFECTIVENESS.—

(1) IN GENERAL.—Section 1109 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8719) is amended—

(A) by striking ''This subtitle'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), this subtitle''; and

(B) by adding at the end the following:

''(2) COUNTER-CYCLICAL PROGRAM.—Section 1104 shall be effective beginning with the 2013 crop year of each covered commodity (other than upland cotton) through the 2017 crop year.''.

(2) ADMINISTRATION GENERALLY.—Notwithstanding any other provision of law, for the period of crop years 2013 through 2017, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out sections 1104 and 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714, 8754) in accordance with the amendments made by this section.

(f) OFFSET.—Sections 11006 and 11012, and the amendments made by those sections, shall have no force or effect.

SA 2426. Mr. COONS (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 970, between lines 5 and 6, insert the following:

SEC. 11019. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by sections 11016, 11017, and 11018) is amended by adding at the end the following:

''(21) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—

''(A) DEFINITION OF POULTRY.—In this paragraph, the term 'poultry' has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

''(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

''(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

''(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

''(i) evaluate the market place for business disruption insurance that is available to poultry producers;

''(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy; and

''(iii) analyze the costs to the Federal government of a Federal business disruption insurance program for poultry producers.

''(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of —

''(i) the study carried out under subparagraph (B)(i); and

''(ii) the study carried out under subparagraph (B)(ii).''.

SA 2427. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12207. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED; AUTHORIZED ACTIVITIES.—The Secretary of Agriculture may make grants to States and tribal governments to support their efforts to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of tree in the genus Acer—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATIONS.—In submitting an application for a grant under this section, a State or tribal government shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

(c) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law, including any State or tribal government liability law.

(d) DEFINITION OF MAPLE SUGARING.—In this section, the term ''maple-sugaring'' means the collection of sap from any species of tree in the genus Acer for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2012 through 2015.

SA 2428. Mr. BAUCUS (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 7, strike ''clause (iii)'' and insert ''clauses (iii) and (iv)''.

On page 25, between lines 15 and 16, insert the following:

(iii) MINIMUM PRICE.—

(I) IN GENERAL.—If the national marketing year average price calculated under clause (i)(II) for a covered commodity for any of the applicable crop years falls below the minimum price for the covered commodity described in subclause (III), for the first crop year in which the national marketing year average price is below the minimum price, the Secretary shall use a price that is equal to the greater of—

(aa) the difference between—

(AA) the minimum price for the covered commodity described in subclause (III); and

(BB) 5 percent of the minimum price for the covered commodity; or

(bb) the national marketing year average price calculated under clause (i)(II).

(II) SUBSEQUENT YEARS.—For each applicable crop year after the first crop year in which the national marketing year average price is below the minimum price, the Secretary shall use a price that is equal to the greater of—

(aa) the national marketing year average price calculated under clause (i)(II); or

(bb) if the minimum price was adjusted for the prior crop year under subclause (I)(aa), 95 percent of the adjusted minimum price used for that prior crop year.

(III) MINIMUM PRICE.—The minimum price for each covered commodity shall be as follows:

(aa) For wheat, $4.50 per bushel.

(bb) For corn, $2.84 per bushel.

(cc) For grain sorghum, $2.84 per bushel.

(dd) For malt barley, $3.60 per bushel.

(ee) For feed barley, $2.84 per bushel.

(ff) For oats, $1.93 per bushel.

(gg) For soybeans, $6.48 per bushel.

(hh) For other oilseeds, $13.69 per hundredweight.

(ii) For dry peas, $8.99 per hundredweight.

(jj) For lentils, $13.83 per hundredweight.

(kk) For small chickpeas, $11.19 per hundredweight.

(ll) For large chickpeas, $13.83 per hundredweight.

SA 2429. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, between lines 16 and 17, insert the following:

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

SA 2430. Mr. BROWN of Ohio (for himself, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. FRANKEN, Mr. TESTER, Mr. BEGICH, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 574, between lines 11 and 12, insert the following:

''(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection $10,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.

On page 606, between lines 4 and 5, insert the following:

''(E) MANDATORY FUNDING FOR FISCAL YEARS 2013 THROUGH 2017.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph $4,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.

On page 782, strike line 14 and insert the following:

through promulgation of an interim rule.

''(j) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $10,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.''.

SEC. 6203. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section

$100,000,000, to remain available until expended.

On page 832, line 6, strike ''$50,000,000'' and insert ''$100,000,000''.

On page 957, line 18, strike ''80 percent'' and insert ''70 percent''.

On page 989, line 9, strike ''$5,000,000'' and insert ''$15,000,000''.

SA 2431. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 12___. CIVIL RIGHTS COMPLAINTS AGAINST THE DEPARTMENT OF AGRICULTURE.

Section 14010 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2279–2) is amended—

(1) by striking the section enumerator and heading and all that follows through ''Each year'' and inserting the following:

''SEC. 14010. CIVIL RIGHTS COMPLAINTS AGAINST THE DEPARTMENT OF AGRICULTURE.

''(a) REQUIRED REPORTS AND SUBMISSIONS.—Each year'';

(2) in paragraph (1)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(E) the number of claims that have not been resolved during the 270-day period beginning on the date of acknowledgment of receipt of the claim by the agency;'';

(3) in paragraph (2), by striking ''and'' at the end;

(4) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(5) by adding at the end the following:

''(3) submit to each Senator and Member of Congress a list that—

''(A) identifies the number of constituents in the State or district of the Senator or Member that have outstanding civil rights claims that have been pending for more than 270 days since the date of acknowledgment of receipt of a formal complaint by the Department of Agriculture; and

''(B) includes the number of claims that are outstanding for each 60-day interval beyond the 270-day period.

''(c) REQUIRED SUBMISSIONS TO CLAIMANT.—As soon as practicable after the expiration of the 270-day period beginning on the date of acknowledgment of receipt of a civil rights claim by the Department of Agriculture, if the claim remains outstanding, the Secretary shall submit to the claimant of the outstanding civil rights claim the estimated time of resolution for the claim.

''(d) TIMELINE FOR RESPONSE AND RESOLUTION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall accept or deny all formal civil rights complaints sent by registered mail or delivered in person for processing during the 45-day period beginning on the date of receipt of the complaint.

''(2) FAILURE TO ACCEPT COMPLAINT.—

''(A) IN GENERAL.—If the Secretary refuses to accept a complaint as a formal civil rights complaint, the complainant may appeal the intake decision during the 15-day period beginning on the date of the disputed intake through the office of the Assistant Secretary for Administration of the Department of Agriculture.

''(B) REQUIRED RESPONSE.—The Assistant Secretary for Administration shall respond not later than 45 days after the date on which an appeal is filed under subparagraph (A) on acceptance or denial of the formal complaint process.

''(3) RESOLUTION OF CLAIMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall resolve all civil rights claims during the 270-day period beginning on the date of acknowledgment of delivery of the complaint by registered mail or in person.

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DISPUTE RESOLUTION.—Notwithstanding subparagraph (A), in a case in which the claimant has pursued the option of alternative dispute resolution with the Secretary, the 270-day period shall not begin until—

''(I) the claimant terminates the alternative dispute resolution process in writing to the Department of Agriculture; and

''(II)(aa) the Department has acknowledged receipt of the claim; or

''(bb) the Postal Service verifies that the complaint has been delivered by registered mail.

''(ii) PENDING CRIMINAL INVESTIGATION.—Notwithstanding subparagraph (A), in a case in which a criminal investigation is pending with respect to the claims, the 270-day period shall not begin until the pending criminal investigation has been concluded.

''(C) FAILURE TO RESOLVE.—

''(i) IN GENERAL.—If a civil rights claim is not resolved during the 270-day period, the Secretary shall provide to the claimant, in accordance with subsections (a)(3) and (b)—

''(I) an explanation of the reason for delay;

''(II) an explanation of the remaining process that is required for the resolution of the claim;

''(III) a description of any items necessary for review; and

''(IV) an estimated time for resolution of the claim.

''(ii) PROTECTION OF CONFIDENTIAL INFORMATION.—An explanation of the reason for delay under clause (i) shall not include confidential information relating to the claim that would interfere with potential or ongoing court proceedings.

''(4) APPEAL OF FINDING OF DISCRIMINATION.—

''(A) IN GENERAL.—For any civil rights claim in which discrimination is found under this section, the claimant may file an appeal of the finding with the Assistant Secretary for Administration.

''(B) ACTION BY ASSISTANT SECRETARY FOR ADMINISTRATION.—Not later than 180 days after the date on which an appeal is filed under subparagraph (A), the Assistant Secretary for Administration shall respond to the appeal by issuing an acceptance or denial of the finding.

''(e) PERIODIC AUDITS CONDUCTED BY INSPECTOR GENERAL OF THE DEPARTMENT OF AGRICULTURE.—Not later than 2 years after the date of enactment of this subsection and not less frequently than every 3 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit of each activity taken by the Secretary under this section for the period covered by the audit to determine compliance with this section.''.

SA 2432. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 10003(7), strike subparagraph (A).

SA 2433. Mr. TOOMEY (for himself, Mrs. SHAHEEN, and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitle C of title I and insert the following:

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking ''and'' after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) 18 cents per pound for raw cane sugar for each of the 2013 through 2017 crop years.''.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking ''2012'' and inserting ''2017''.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2017''.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking ''2012'' and inserting ''2017''; and

(B) in subparagraph (B), by inserting ''at reasonable prices'' after ''stocks'';

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''; and

(3) in subsection (c)(2)(C), by striking ''if the disposition of the sugar is administered by the Secretary under section 9010 of the Farm Security and Rural Investment Act of 2002''.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''; and

(B) in paragraph (2)(B), by inserting ''at reasonable prices'' after ''market''; and

(2) in subsection (g)—

(A) by striking ''ALLOTMENTS.—'' and all that follows through ''Subject to subparagraph (B), the'' and inserting ''ALLOTMENTS.—The''; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

''(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

''(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

''(2) the relative competitiveness of domestically produced and imported foods containing sugar.''.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

''SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

''(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

''(b) ADJUSTMENT.—

''(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

''(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

''(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

''(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

''(i) unreasonably high prices; or

''(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

''(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

''(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

''(c) TEMPORARY TRANSFER OF QUOTAS.—

''(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

''(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

''(3) TRANSFERS TEMPORARY.—

''(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

''(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.''.

(e) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking ''2012'' and inserting ''2017''.

On page 897, strike lines 8 through 15, and insert the following:

SEC. 9009. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting ''and'' after the semicolon at the end;

(B) in clause (ii), by striking ''; and'' at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking '', except for'' and all that follows through '' of 2002''.

SA 2434. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 3002(28) of the Consolidated Farm and Rural Development Act (as amended by section 6001), add at the end the following:

''(D) EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding any other provision of this paragraph, the Secretary may determine on a case-by-case basis that a project funded under this title is in a rural area if the project meets the criteria described in clause (ii).

''(ii) CRITERIA.—To be considered for a waiver under clause (i), a project shall, as determined by the Secretary—

''(I) receive a direct or guaranteed loan under section 3502;

''(II) be subject to match in an amount equal to 100 percent of the loan in the case of a Federal loan, or Federal loan guarantee in case of a guaranteed loan, with funds from non-Federal sources;

''(III) serve regional and national purposes; and

''(IV) primarily support agribusiness, specifically in relation to agribusiness education.

SA 2435. Mr. WARNER (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 764, strike lines 9 through 15 and insert the following:

''(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

''(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

''(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

''(I) certified by the affected community, city, county, or designee; or

''(II) demonstrated on—

''(aa) the broadband map of the affected State if the map contains address-level data; or

''(bb) the National Broadband Map if address-level data is unavailable; and

''(iii) give a higher priority to applicants that have not previously received grants, loans, or loan guarantees under paragraph (1) and that are seeking to build out unserved areas or to upgrade rural households to the minimum acceptable level of broadband service established under subsection (e).

On page 765, line 22, strike ''and'' after the semicolon at the end.

On page 766, line 7, strike the period at the end and insert ''; and''.

On page 766, between lines 7 and 8, insert the following:

''(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

On page 766, between lines 21 and 22, insert the following:

(i) by striking clause (i) and inserting the following:

''(i) demonstrate the ability to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e);'';

On page 766, line 22, strike ''(ii)'' the first place it appears and insert ''(iii)''.

On page 766, line 25, strike ''(iii)'' the first place it appears and insert ''(iv)''.

On page 767, strike lines 8 through 18 and insert the following:

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking ''the proceeds of a loan made or guaranteed'' and inserting ''assistance''; and

(bb) by striking ''for the loan or loan guarantee'' and inserting ''of the eligible entity'';

(II) in clause (i), by striking ''is offered broadband service by not more than 1 incumbent service provider'' and inserting ''are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)''; and

(III) in clause (ii), by striking ''3'' and inserting ''2'';

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraph (C) as subparagraph (B); and

(iv) in subparagraph (B) (as so redesignated)—

(I) in the subparagraph heading, by striking ''3'' and inserting ''2''; and

(II) in clause (i), by inserting ''the minimum acceptable level of broadband service established under subsection (e) in'' after ''service to'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''loan or'' and inserting ''grant, loan, or''; and

(ii) in subparagraph (B), by adding at the end the following:

''(iii) INFORMATION.—Information submitted under this subparagraph shall be—

''(I) certified by the affected community, city, county, or designee; and

''(II) demonstrated on—

''(aa) the broadband map of the affected State if the map contains address-level data; or

''(bb) the National Broadband Map if address-level data is unavailable.'';

(D) in paragraph (4)—

(i) by striking ''Subject to paragraph (1),'' and inserting the following:

''(A) IN GENERAL.—Subject to paragraph (1) and subparagraph (B),'';

(ii) by striking ''loan or'' and inserting ''grant, loan, or''; and

(iii) by adding at the end the following:

''(B) PILOT PROGRAMS.—The Secretary may carry out pilot programs in conjunction with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).'';

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''loan or'' and inserting ''grant, loan, or''; and

(ii) in subparagraph (C), by inserting '', and proportion relative to the service territory,'' after ''estimated number'';

(F) in paragraph (6), by striking ''loan or'' and inserting ''grant, loan, or'';

On page 767, line 19, strike ''(D)'' and insert ''(G)''.

On page 767, line 22, strike ''(E)'' and insert ''(H)''.

On page 768, line 6, before the semicolon, insert the following: '', including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure)''.

On page 768, line 9, before the semicolon, insert the following: '', including—

''(I) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

''(II) the speed of broadband service;

''(III) the price of broadband service;

''(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

''(V) any other metrics the Secretary determines to be appropriate

On page 769, strike lines 5 through 12 and insert the following:

''(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

''(i) recover funds from loan defaults;

''(ii)(I) deobligate awards to grantees that demonstrate an insufficient level of performance (including failure to meet build-out requirements, service quality issues, or other metrics determined by the Secretary) or wasteful or fraudulent spending; and

''(II) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

''(iii) consolidate and minimize overlap among the programs; and''.

On page 769, line 12 strike ''and''.

On page 769, between lines 12 and 13, insert the following:

''(D) with respect to an application for assistance under this section, shall—

''(i) promptly post on the website of the Rural Utility Service—

''(I) an announcement that identifies—

''(aa) each applicant;

''(bb) the amount and type of support requested by each applicant; and

''(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

''(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

''(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to

''(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

''(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

On page 769, line 13, strike ''(D)'' and insert ''(E)''.

On page 769, between lines 16 and 17, insert the following:

(5) in subsection (e)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

''(A) a 4-Mbps downstream transmission capacity; and

''(B) a 1-Mbps upstream transmission capacity.

''(2) ADJUSTMENTS.—At least once every 2 years, the Secretary shall review, and may adjust, the minimum acceptable level of broadband service established under paragraph (1) to ensure that high quality, cost-effective broadband service is provided to rural areas over time.'';

On page 769, line 17, strike ''(5)'' and insert ''(6)''.

On page 769, between lines 19 and 20, insert the following:

(7) in subsection (g), by striking paragraph (2) and inserting the following:

''(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

''(A) consider whether the recipient would be serving an area that is unserved; and

''(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.'';

On page 769, line 20, strike ''(6)'' and insert ''(8)''.

On page 769, strike lines 23 and 24 and insert the following:

(B) in paragraph (1)—

(i) by inserting ''grants and'' after ''number of''; and

(ii) by inserting '', including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas'' before the semicolon at the end;

On page 770, line 5, strike ''and''

On page 770, between lines 6 and 7, insert the following:

(E) in paragraph (5), by striking ''and'' at the end;

(F) in paragraph (6), by striking the period at the end and inserting ''; and'';

(G) by adding at the end the following:

''(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

''(A) the number of residences and businesses receiving new broadband services;

''(B) network improvements, including facility upgrades and equipment purchases;

''(C) average broadband speeds and prices on a local and statewide basis;

''(D) any changes in broadband adoption rates; and

''(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.''; and

On page 770, strike line 7 and insert the following:

(9) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(10) by inserting after subsection (j) the following:

''(k) BROADBAND BUILDOUT DATA.—

''(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

''(A) for purposes of inclusion in the semiannual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the 'Administration'); and

''(B) not later than 30 days after the earlier of—

''(i) the date of completion of any project milestone established by the Secretary; or

''(ii) the date of completion of the project.

''(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

''(3) CORRECTIONS.—

''(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

''(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

''(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correction by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.'';

(11) in paragraph (1) of subsection (*l*) (as redesignated by paragraph (9))—

On page 770, strike line 12 and insert the following:

(12) in subsection (m) (as redesignated by paragraph (9))—

SA 2436. Mr. NELSON of Florida (for himself, Mr. MENENDEZ, Mr. CARDIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle D—Citrus Disease Research and Development Trust Fund

SEC. 3301. SHORT TITLE.

This subtitle may be cited as the ''Citrus Disease Research and Development Trust Fund Act of 2012''.

SEC. 3302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) duties collected on imports of citrus and citrus products have ranged from $50,000,000 to $87,000,000 annually since 2004, and are projected to increase, as United States production declines due to the effects

of huanglongbing (also known as ''HLB'' or ''citrus greening disease'') and imports increase in response to the shortfall in the United States;

(2) in cases involving other similarly situated agricultural commodities, notably wool, the Federal Government has chosen to divert a portion of the tariff revenue collected on imported products to support efforts of the domestic industry to address challenges facing the industry;

(3) citrus and citrus products are a highly nutritious and healthy part of a balanced diet;

(4) citrus production is an important part of the agricultural economy in Florida, California, Arizona, and Texas;

(5) in the most recent years preceding the date of enactment of this Act, citrus fruits have been produced on 900,000 acres, yielding 11,000,000 tons of citrus products with a value at the farm of more than $3,200,000,000;

(6) the commercial citrus sector employs approximately 110,000 people and contributes approximately $13,500,000,000 to the United States economy;

(7) the United States citrus industry has suffered billions of dollars in damage from disease and pests, both domestic and invasive, over the decade preceding the date of enactment of this Act, particularly from huanglongbing;

(8) huanglongbing threatens the entire United States citrus industry because the disease kills citrus trees;

(9) as of the date of enactment of this Act, there are no cost effective or environmentally sound treatments available to suppress or eradicate huanglongbing;

(10) United States citrus producers working with Federal and State governments have devoted tens of millions of dollars toward research and efforts to combat huanglongbing and other diseases and pests, but more funding is needed to develop and commercialize disease and pest solutions;

(11) although imports constitute an increasing share of the United States market, importers of citrus products into the United States do not directly fund production research in the United States;

(12) disease and pest suppression technologies require determinations of safety and solutions must be commercialized before use by citrus producers;

(13) the complex processes involved in discovery and commercialization of safe and effective pest and disease suppression technologies are expensive and lengthy and the need for the technologies is urgent; and

(14) research to develop solutions to suppress huanglongbing, or other domestic and invasive pests and diseases will benefit all citrus producers and consumers around the world.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to authorize the establishment of a trust funded by certain tariff revenues to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States; and

(2) to require the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that would decrease the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 1001(d) of the Trade Act of 1974, as added by section 3303(a) of this Act.

(c) EFFECT ON OTHER ACTIVITIES.—Nothing in this subtitle restricts the use of any funds for scientific research and technical activities in the United States.

SEC. 3303. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the 'Citrus Disease Research and Development Trust Fund' (in this section referred to as the 'Trust Fund'), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

''(b) TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, amounts determined by the Secretary to be equivalent to amounts received in the general fund that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

''(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

''(A) an amount equal to ⅓ of the amount attributable to the duties received on articles described in paragraph (1); or

''(B) $30,000,000.

''(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

''(1) AMOUNTS AVAILABLE UNTIL EXPENDED.—Amounts in the Trust Fund shall remain available until expended without further appropriation.

''(2) AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

''(A) for expenditures relating to citrus disease research and development under section 3304 of the Citrus Disease Research and Development Trust Fund Act of 2012, including costs relating to contracts or other agreements entered into to carry out citrus disease research and development; and

''(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

''(d) INVESTMENT OF TRUST FUND.—

''(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

''(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

''(e) REPORTS TO CONGRESS.—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

''(1) a detailed description of the amounts disbursed from the Trust Fund in the preceding fiscal year and the manner in which those amounts were expended;

''(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

''(3) an assessment of the amounts available in the Trust Fund for future expenditures.

''(f) REMISSION OF SURPLUS FUNDS.—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.

''(g) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2012 and all amounts in the Trust Fund on December 31 of that fifth calendar year shall be transferred to the general fund of the Treasury.

''SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.

''The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

''(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

''(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''Sec. 1001. Citrus Disease Research and Development Trust Fund.

''Sec. 1002. Reports required before entering into certain trade agreements.''.

SEC. 3304. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD.

(a) PURPOSE.—The purpose of this section is to establish an orderly procedure and financing mechanism for the development of an effective and coordinated program of research and product development relating to—

(1) scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry; and

(2) support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3303(a) of this Act, or through other research projects intended to solve problems caused by citrus production diseases and invasive pests.

(b) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Citrus Disease Research and Development Trust Fund Advisory Board established under this section.

(2) CITRUS.—

(A) IN GENERAL.—The term ''citrus'' means edible fruit of the family Rutaceae, commonly called ''citrus''.

(B) INCLUSION.—The term ''citrus'' includes all citrus hybrids and products of citrus hybrids that are produced for commercial purposes in the United States.

(3) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(4) PERSON.—The term ''person'' means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(5) PRODUCER.—The term ''producer'' means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

(6) PROGRAM.—The term ''program'' means the citrus research and development program authorized under this section.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(8) TRUST FUND.—The term ''Trust Fund'' means the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3303(a) of this Act.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

(2) CITRUS ADVISORY BOARD.—

(A) ESTABLISHMENT AND MEMBERSHIP.—

(i) ESTABLISHMENT.—The Citrus Disease Research and Development Trust Fund Advisory Board shall consist of 9 members.

(ii) MEMBERSHIP.—The members of the Board shall be appointed by the Secretary.

(iii) STATUS.—Members of the Board represent the interests of the citrus industry and shall not be considered officers or employees of the Federal Government solely due to membership on the Board.

(B) DISTRIBUTION OF APPOINTMENTS.—The membership of the Board shall consist of—

(i) 5 members who are domestic producers of citrus in Florida;

(ii) 3 members who are domestic producers of citrus in Arizona or California; and

(iii) 1 member who is a domestic producer of citrus in Texas.

(C) CONSULTATION.—Prior to making appointments to the Board, the Secretary shall consult with organizations composed primarily of citrus producers to receive advice and recommendations regarding Board membership.

(D) BOARD VACANCIES.—

(i) IN GENERAL.—The Secretary shall appoint a new Board member to serve the remainder of a term vacated by a departing Board member.

(ii) REQUIREMENTS.—When filling a vacancy on the Board, the Secretary shall—

(I) appoint a citrus producer from the same State as the Board member being replaced; and

(II) prior to making an appointment, consult with organizations in that State composed primarily of citrus producers to receive advice and recommendations regarding the vacancy.

(E) TERMS.—

(i) IN GENERAL.—Except as provided in clause (ii), each term of appointment to the Board shall be for 5 years.

(ii) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint ⅓ of the members to terms of 1, 3, and 5 years, respectively.

(F) DISQUALIFICATION FROM BOARD SERVICE.—If a member or alternate of the Board who was appointed as a domestic producer ceases to be a producer in the State from which the member was appointed, or fails to fulfill the duties of the member according to the rules established by the Board under paragraph (4)(A)(ii), the member or alternate shall be disqualified from serving on the Board.

(G) COMPENSATION.—

(i) IN GENERAL.—The members of the Board shall serve without compensation, other than travel expenses described in clause (ii).

(ii) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(3) POWERS.—

(A) GIFTS.—The Board may accept, use, and dispose of gifts or donations of services or property.

(B) POSTAL SERVICES.—The Board may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(C) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use the services of volunteers serving without compensation.

(D) TECHNICAL AND LOGISTICAL SUPPORT.—Subject to the availability of funds, the Secretary shall provide to the Board technical and logistical support through contract or other means, including—

(i) procuring the services of experts and consultants in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of that title; and

(ii) entering into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private entities for the preparation of reports, surveys, and other activities.

(E) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission on a reimbursable or nonreimbursable basis.

(ii) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(F) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Board on a reimbursable basis administrative support and other services for the performance of the duties of the Board.

(G) OTHER DEPARTMENTS AND AGENCIES.—Departments and agencies of the United States may provide to the Board such services, funds, facilities, staff, and other support services as may be appropriate.

(4) GENERAL RESPONSIBILITIES OF THE BOARD.—

(A) IN GENERAL.—The regulations promulgated by the Secretary shall define the general responsibilities of the Board, which shall include the responsibilities—

(i) to meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(ii) to adopt and amend rules and regulations governing the conduct of the activities of the Board and the performance of the duties of the Board;

(iii) to hire such experts and consultants as the Board considers necessary to enable the Board to perform the duties of the Board;

(iv) to advise the Secretary on citrus research and development needs;

(v) to propose a research and development agenda and annual budgets for the Trust Fund;

(vi) to evaluate and review ongoing research funded by Trust Fund;

(vii) to engage in regular consultation and collaboration with the Department and other institutional, governmental, and private actors conducting scientific research into the causes or treatments of citrus diseases and pests, both domestic and invasive, so as to—

(I) maximize the effectiveness of the activities;

(II) hasten the development of useful treatments; and

(III) avoid duplicative and wasteful expenditures; and

(viii) to provide the Secretary with such information and advice as the Secretary may request.

(5) CITRUS RESEARCH AND DEVELOPMENT AGENDA AND BUDGETS.—

(A) IN GENERAL.—The Board shall submit annually to the Secretary a proposed research and development agenda and budget for the Trust Fund, which shall include—

(i) an evaluation of ongoing research and development efforts;

(ii) specific recommendations for new citrus research projects;

(iii) a plan for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Trust Fund; and

(iv) a justification for Trust Fund expenditures.

(B) AFFIRMATIVE SUPPORT REQUIRED.—A research and development agenda and budget may not be submitted by the Board to the Secretary without the affirmative support of at least 7 members of the Board.

(C) SECRETARIAL APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after receiving the proposed research and development agenda and budget from the Board and consulting with the Board, the Secretary shall finalize a citrus research and development agenda and Trust Fund budget.

(ii) CONSIDERATIONS.—In finalizing the agenda and budget, the Secretary shall—

(I) due to the proximity of citrus producers to the effects of diseases such as huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production, give strong deference to the proposed research and development agenda and budget from the Board; and

(II) take into account other public and private citrus-related research and development projects and funding.

(D) REPORT TO CONGRESS.—Each year, the Secretary shall submit to the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate a report that includes—

(i) the most recent citrus research and development agenda and budget of the Secretary;

(ii) an analysis of how, why, and to what extent the agenda and budget finalized by the Secretary differs from the proposal of the Board;

(iii) an examination of new developments in the spread and control of citrus diseases and pests;

(iv) a discussion of projected research needs; and

(v) a review of the effectiveness of the Trust Fund in achieving the purpose described in subsection (a).

(6) CONTRACTS AND AGREEMENTS.—To ensure the efficient use of funds, the Secretary may enter into contracts or agreements with public or private entities for the implementation of a plan or project for citrus research.

(d) ADMINISTRATIVE COSTS.—Each fiscal year, the Secretary may transfer up to $2,000,000 of amounts in the Trust Fund to

the Board for expenses incurred by the Board in carrying out the duties of the Board.

(e) TERMINATION OF BOARD.—The Board shall terminate on December 31 of the fifth calendar year that begins after the date of enactment of this Act.

Subtitle E—Cotton and Wool Trust Funds

SEC. 3401. RENEWAL AND MODIFICATION OF DUTY SUSPENSIONS ON COTTON SHIRTING FABRICS AND RELATED PROVISIONS.

(a) RENEWAL AND MODIFICATION OF DUTY SUSPENSIONS.—

(1) IN GENERAL.—Headings 9902.52.08, 9902.52.09, 9902.52.10, 9902.52.11, 9902.52.12, 9902.52.13, 9902.52.14, 9902.52.15, 9902.52.16, 9902.52.17, 9902.52.18, and 9902.52.19 of the Harmonized Tariff Schedule of the United States (relating to woven fabrics of cotton) are each amended—

(A) in the article description—

(i) by striking ''other than fabrics provided for in headings 9902.52.20 through 9902.52.31,''; and

(ii) by striking '', the foregoing imported'' and all that follows; and

(B) by striking the date in the effective period column and inserting ''12/31/2015''.

(2) CONFORMING AMENDMENTS.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule is amended—

(A) in the U.S. Notes, by striking the second Note 18 and Note 19; and

(B) by striking headings 9902.52.20 through 9902.52.31.

(b) EXTENSION OF DUTY REFUNDS AND PIMA COTTON TRUST FUND; MODIFICATION OF AFFIDAVIT REQUIREMENTS.—Section 407 of title IV of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3060) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''amounts determined by the Secretary'' and all that follows through ''5208.59.80'' and inserting ''amounts received in the general fund that are attributable to duties received since January 1, 2004, on articles classified under heading 5208''; and

(B) in paragraph (2), by striking ''October 1, 2008'' and inserting ''December 31, 2015'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''beginning in fiscal year 2007'' and inserting ''for fiscal year 2012 and each fiscal year thereafter'';

(B) by striking ''grown in the United States'' each place it appears; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''that produce ring spun cotton yarns in the United States'' after ''of pima cotton'';

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting ''annually'' after ''provided''; and

(B) in paragraph (1), by inserting ''during the year in which the affidavit is filed and'' after ''imported cotton fabric''; and

(4) in subsection (f)—

(A) in the matter preceding paragraph (1), by inserting ''annually'' after ''provided''; and

(B) in paragraph (1)—

(i) by striking ''grown in the United States'' and inserting ''during the year in which the affidavit is filed and''; and

(ii) by inserting ''in the United States'' after ''cotton yarns''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply with respect to affidavits filed on or after such date of enactment.

SEC. 3402. MODIFICATION OF WOOL APPAREL MANUFACTURERS TRUST FUND.

(a) IN GENERAL.—Section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) is amended—

(1) in subparagraph (A), by striking ''subject to the limitation in subparagraph (B)'' and inserting ''subject to subparagraphs (B) and (C)''; and

(2) by adding at the end the following new subparagraph:

''(C) ALTERNATIVE FUNDING SOURCE.—Subparagraph (A) shall be applied and administered by substituting 'chapter 62' for 'chapter 51' for any period of time with respect to which the Secretary notifies Congress that amounts determined by the Secretary to be equivalent to amounts received in the general fund of the Treasury of the United States that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States are not sufficient to make payments under paragraph (3) or grants under paragraph (6).''.

(b) FULL RESTORATION OF PAYMENT LEVELS IN CALENDAR YEARS 2010 THROUGH 2012.—

(1) TRANSFER OF AMOUNTS.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall transfer to the Wool Apparel Manufacturers Trust Fund, out of the general fund of the Treasury of the United States, amounts determined by the Secretary of the Treasury to be equivalent to amounts received in the general fund that are attributable to the duty received on articles classified under chapter 51 or chapter 62 of the Harmonized Tariff Schedule of the United States (as determined under section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004), subject to the limitation in subparagraph (B).

(B) LIMITATION.—The Secretary of the Treasury shall not transfer more than the amount determined by the Secretary to be necessary for—

(i) U.S. Customs and Border Protection to make payments to eligible manufacturers under section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amount of such payments, when added to any other payments made to eligible manufacturers under section 4002(c)(3) of such Act during calendar years 2010, 2011 and 2012, equal the total amount of payments authorized to be provided to eligible manufacturers under section 4002(c)(3) of such Act during calendar years 2010, 2011, and 2012; and

(ii) the Secretary of Commerce to provide grants to eligible manufacturers under section 4002(c)(6) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amounts of such grants, when added to any other grants made to eligible manufacturers under section 4002(c)(6) of such Act during calendar years 2010, 2011, and 2012, equal the total amount of grants authorized to be provided to eligible manufacturers under section 4002(c)(6) of such Act during calendar years 2010, 2011, and 2012.

(2) PAYMENT OF AMOUNTS.—U.S. Customs and Border Protection shall make payments described in paragraph (1) to eligible manufacturers not later than 30 days after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund. The Secretary of Commerce shall promptly provide grants described in paragraph (1) to eligible manufacturers after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund.

(c) RULE OF CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the availability of amounts transferred to the Wool Apparel Manufacturers Trust Fund before the date of the enactment of this Act.

(d) CONFORMING AMENDMENTS.—Title IV of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) is amended by striking ''Bureau of Customs and Border Protection'' each place it appears and inserting ''U.S. Customs and Border Protection''.

(e) DISCRETIONARY AUTHORITY.—

(1) IN GENERAL.—Section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 is amended by inserting ''(or at the request of the manufacturer and in the sole discretion of the U.S. Customs and Border Protection, no later than April 15 of the year of the payment)'' after ''March 1 of the year of the payment''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply with respect to a request made by a manufacturer after such date of enactment for an extension of time to file an affidavit pursuant to section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004, as amended by paragraph (1), with respect to a payment payable under that section during calendar year 2011 or any calendar year thereafter.

SEC. 3403. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be 100.25 percent of such amount; and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 3404. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking ''August 2, 2021'' and inserting ''October 22, 2021'';

(2) in subparagraph (B)(i), by striking ''December 8, 2020'' and inserting ''October 29, 2021''; and

(3) by striking subparagraphs (C) and (D).

SA 2437. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11023(b)) is amended by adding at the end the following:

''(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

''(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term 'average adjusted gross income' has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

''(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service

Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

''(C) APPLICATION.—

''(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

''(I) the overall operations of the Federal crop insurance program;

''(II) the number of producers participating in the Federal crop insurance program;

''(III) the amount of premiums paid by participating producers;

''(IV) any potential liability for approved insurance providers;

''(V) any crops or growing regions that may be disproportionately impacted;

''(VI) program rating structures;

''(VII) creation of schemes or devices to evade the impact of the limitation; and

''(VIII) underwriting gains and losses.

''(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

''(I) increase the premium amount paid by producers with an average adjusted gross income of less than $750,000;

''(II) result in a decline in the availability of crop insurance services to producers; and

''(III) increase the costs to the Federal government to administer the Federal crop insurance program established under this subtitle.''.

SA 2438. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title II, add the following:

SEC. 2609. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(E) any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);''.

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking ''(2) If,'' and inserting the following:

''(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

''(A) IN GENERAL.—If,'';

(B) in the second sentence, by striking ''In carrying'' and inserting the following:

''(B) MINIMIZATION OF DOCUMENTATION.—In carrying''; and

(C) by adding at the end the following:

''(C) CROP INSURANCE.—In the case of payments that are subject to section 1211 for the first time due to the amendment made by section 2609(a) of the Agriculture Reform, Food, and Jobs Act of 2012, any person who produces an agricultural commodity on the land that is the basis of the payments shall have until January 1 of the fifth year after the date on which the payments became subject to section 1211 to develop and comply with an approved conservation plan.''.

(b) WETLAND CONSERVATION PROGRAM INELIGIBILITY.—Section 1221(b) of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

''(4) Any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Wednesday, June 27, 2012, at 3 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 1897, a bill to amend Public Law 101–377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station;

S. 2158, a bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area;

S. 2229, a bill to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park;

S. 2267, a bill to reauthorize the Hudson Valley National Heritage Area;

S. 2272, a bill to designate a mountain in the State of Alaska as Mount Denali;

S. 2273, a bill to designate the Talkeetna Ranger Station in Talkeetna, Alaska, as the Walter Harper Talkeetna Ranger Station;

S. 2286, a bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System;

S. 2316, a bill to designate the Salt Pond Visitor Center at the Cape Cod National Seashore as the ''Thomas P. O'Neill, Jr. Salt Pond Visitor Center'';

S. 2324, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic River System;

S. 2372, a bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area; and

S. 3300, a bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake__McCook@energy.senate.gov.

For further information, please contact please contact Sara Tucker (202) 224–6224 or Jake McCook (202) 224–9313.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN: Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 28, 2012, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to review innovative non-federal programs for financing energy efficient building retrofits.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Abigail__Campbell@energy.senate.gov.

For further information, please contact Deborah Estes at (202) 224–5360, or Abigail Campbell at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 14, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a roundtable entitled ''Medicare Physician Payment Policy: Lessons from the Private Sector.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., to hold a hearing entitled, ''The Law of the Sea Convention (Treaty Doc. 103–39): Perspectives from the U.S. Military.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 14, 2012, at 2:30 p.m., to hold a hearing entitled, ''The Law of the Sea Convention (Treaty Doc. 103–39).''

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

COMMITTEE ON INDIAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 14, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m. to conduct a hearing entitled ''New Tax Burdens on Tribal Self-Determination.''

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 14, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., to conduct a hearing entitled, ''Saving Taxpayer Dollars by Curbing Waste and Fraud in Medicaid.''

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

EXECUTIVE ACTION VITIATED

Mr. FRANKEN. Mr. President, as if in executive session, I ask unanimous consent that the action of reporting the nomination of Erica Lynn Groshen be vitiated.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRANKEN. Mr. President, I ask unanimous consent that on Monday, June 18, 2012, at 5 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 612; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of the time, the Senate proceed to vote without interviewing action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 128.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 128) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 128) was agreed to.

ORDERS FOR MONDAY, JUNE 18, 2012

Mr. FRANKEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, June 18; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized, and that at 5 p.m. the Senate proceed to executive session under the previous order.

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

PROGRAM

Mr. FRANKEN. Mr. President, we continue to work on an agreement on amendments to the farm bill. We hope such an agreement can be reached.

At 5:30 p.m., Monday, there will be a rollcall vote on confirmation of the Lewis nomination.

ADJOURNMENT UNTIL MONDAY, JUNE 18, 2012, AT 3 P.M.

Mr. FRANKEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until June 18, 2012, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

MICHAEL DAVID KIRBY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SERBIA.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2015. (REAPPOINTMENT)

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be lieutenant (junior grade)

KYLE S. SALLING
DANIEL D. SMITH
ANTHONY R. KLEMM
RICHARD J. PARK
DAVID J. RODZIEWICZ
ANDREA L. PROIE
JOSEPH T. PHILLIPS
KELLI-ANN E. BLISS
LARRY V. THOMAS, JR.
LESLIE Z. FLOWERS
SHANNON K. HEFFERAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 10505 AND 601:

To be lieutenant general

MAJ. GEN. JOSEPH L. LENGYEL

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. LAWRENCE W. BROCK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. REYNOLD N. HOOVER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531.

To be major

CHANCE J. HENDERSON
JEFFREY P. TAN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JESSICA L. WEAVER

To be major

PATRICK D. HUCK
JONELLE J. KNAPP

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

YOUNGMI CHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD M. ZYGADLO

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED

STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DAVID H. RITTGERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

ERIC S. SLATER
MARCUS P. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

GASTON P. BATHALON
KEVIN C. REILLY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JERRY L. BRATU, JR.
ROGER D. JOHNSON
AMOS P. PARKER, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRETT W. ANDERSEN
BENJAMIN S. JOHNSON
ELBERT R. JORDAN
SAMUEL M. RILEY
KIMBERLY K. TULLY
MICHAEL D. WHITED, JR.

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

CASEY ROGERS

To be lieutenant colonel

AMIR I. ESHEL
PHILLIP S. HOLMES

To be major

BORIS A. FROLOV
JOHN P. KENNEDY
JOHN A. LANG
SHARON A. SCHELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DWAYNE C. BECHTOL
PATRICK J. CANCHOLA
CHRISTINE L. CHRISTENSEN
TODD A. COLLINS
CLAIRE CORNELIUS
ROBERT S. DOLE
PAUL R. FACEMIRE
DAWN FITZHUGH
ANNE E. HESSINGER
SARAH B. HINDS
LISA M. HULL
DANIEL A. LEACH
CHARLES L. MARCHAND III
JACQUELYN S. PARKER
LISA T. READ
ALISA R. WILMA
D005682

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ARMANDO AGUILERA, JR.
ERIC T. ASHLEY
BRENT CLARK
SEAN P. CONNOLLY
KEN JO
ROBERT KEELER
NAM K. KIM
SLOAN G. LANCTOT
YOSUK J. LEE
BERNIE S. MANASAN
KENDALL R. MOWER
DALE A. NICHOLS
DAVID OLSON
JULIA PLEVNIA
KARL RICHARDS
MICHAEL J. RYHN
DAVE ST JOHN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

BRUCE J. BEECHER
JANETTA R. BLACKMORE
KATHERINE M. BROWN
GAIL A. DREITZLER
MICHAEL E. FRANCO
SCOTT R. GREGG
DAVID L. HAMILTON
ROBERT S. HEATH
SEAN M. HERMICK
KARL KISCH
SHANE L. KOPPENHAVER
JEFFREY E. OLIVER
CRAIG V. PAIGE
LESLIE A. RANDOLPHMOSS
REVA L. ROGERS
KATHLEEN M. SCHULTZ
JASON L. SILVERNAIL
PAULA T. SMITH
D004871

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

RENEE D. ALFORD
WILLIAM L. AMSINK
WESLEY J. ANDERSON
DEBORAH R. BAIN
RODDEX G. BARLOW
SANDRA J. BARR
ROMER M. BLANCO
CATTLEYA M. BORN
MARY K. BRIAN
TIMOTHY J. BRYANT
SHELLY M. CHAVEZ
JANE M. CHRISTENSEN
RODGER S. CHRISTY
JEFFREY CLARK
BETTY E. CLOUDENPERDUE
GRETA V. COLLIER
JEFFREY P. CONROY
SAMANTHA CRUMBLY
MICHAEL S. CYRA
GLENN L. DORNER
DAVID G. DOTY
JOSEPH K. DUBOSE
JODY L. DUGAI
HECTOR ERAZO
TANYA M. FOSTER
MARC A. FRY
LISEL M. GATES
GAIL D. GAUTHIER
RONALD J. GAY
RONALD S. GESAMAN
KIMBERLY M. GESLAK
JENNIFER J. GLIDEWELL
KAREN A. GOODEN
LINDA S. GOWENLOCK
SEAN P. HARBERT
KAITNARINE M. HARILAL
IRMA T. HARTMAN
DAVID HERNANDEZ
WILFRED D. HINZE
HAYONG N. HIRST
GAVIN O. HITCHCOCK
ROBERT A. HOLCEK
KAREN R. HOLTZCLAW
ROGER D. HORNE
GREGORY P. HUBBS
JOSEPH A. HULSE
BEVERLY L. G. INOCENCIO
AMELIA S. JACKSON
TODD S. JACKSON
WILLIAM S. JACOBS
PAUL M. JOHNSON
HEIDI A. KELLY
SHAWN D. KELLY
DONALD E. KIMBLER, JR.
AGA E. KIRBY
STEVEN A. KNAPP
JOHN V. KULIG
PAUL R. LABRADOR
HELEN A. LAQUAY
BRIAN E. LAUER
JAMES M. LEITH, JR.
LISA M. LUTE
YVETTE M. MALMQUIST
RONALD L. MILAM, JR.
GENERA D. MILLER
MARK L. MITCHELL
PATSY D. MORRIS
DENISE A. MOULTRIE
HECTOR MUNIZ
MICHAEL S. NAGRA
DAVID NEE
SCOTT A. NEUSER
CARLA J. PATTON
JENNIE P. POLK
PATRICK J. POLLMAN
ANTHONY L. PORTEE
HYON S. QUATTLEBAUM
ANTHONY E. RHEA
KATHLEEN J. RICHARDSON
THERESA M. ROLLASON
GERALD C. ROSS III
ROBERT E. RUSSUM
CHRISTOPHER SANCHEZ
JAMES R. SELLARS
ANN C. SIMS
MARK R. SMITH
SANDRA A. SNIPES
KATHLEEN G. SPANGLER
JEFFREY A. SPORER
ROBERT J. STAGGS
MICHELLE D. STEWMON
BIRGIT STOKES
CHRISTIAN B. SWIFT
MICHAEL F. SZYMANIAK
BOZHENA TABAKMAN
LANCE C. TAYLOR
CORNELIUS R. TYLER
DALE A. VEGTER
TANYA L. WAHLBERG
MICHAEL J. WATSON
STEPHEN J. WILLIAMS
HOPE M. WILLIAMSON
MARY A. WITT
GLENDA S. WOLFE
MYONG S. WOO
TERRI L. YOST
PJ ZAMORA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

JUDE M. ABADIE
CHRISTOPHER C. ALGER
JENNIFER R. ALLOUCHE
HEATHER S. ANDERSON
THOMAS J. ANTON
JANELLE A. ARNETTE
JIMMY G. BAKER
JON E. BAKER
MICHAEL A. BALL
JAMES W. BEACH
BRIAN J. BENDER
TAIWO H. BOLAJI
JOSEPH A. BOWMAN
KENT A. BROUSSARD
CASEY P. CARVER
JOSEPH A. CHAPMAN
MATTHEW G. CLARK
CHARLES C. COOK
WALTER G. S. CUMMINGS
DEBRA L. DANDRIDGE
ROSS A. DAVIDSON
JON M. DAVIS
PAUL R. DUERINGER
RYAN R. ECKMEIER
BRIAN P. EVANS
JOHN M. EVANS
MARCELLA R. FEDDES
JOHN R. FUDA
JOHN A. GAOAY
CRAIG D. GEHRELS
SHAWN R. GELZAINES
JEANNE A. GEYER
GEORGE O. GILBERT, JR.
PHILIP W. GINDER
JAMES B. GOETSCHIUS
MATTHEW J. GORSKI
JASON L. GRANT
THOMAS H. GRANT
DOUGLAS R. GRAY
TIMOTHY O. GREEN
ANDREW HAGEMASTER
KEVIN C. HAMILTON
JOHN M. HAMMER
KEVIN A. HANNAH
MARK G. HARTELL
JAMES H. HAYES
JILL J. HENDERSON
CHRISTOPHER C. HENRY
BERNITA HIGHTOWER
STACY A. HOLMAN
GARY A. HUGHES
TIMOTHY J. HUNT, JR.
DERECK L. IRMINGER
AMY B. JENSIK
DAVID S. JOHNSTON
FOREST S. KIM
DUBRAY KINNEY, SR.
MICHAEL C. KRAMER
SEAN T. LANKFORD
JON R. LASELL
STEPHANIE LATIMER
DEREK J. LICINA
JOSELITO C. LIM
DOUGLAS K. LOMSHEK
PAUL W. MAETZOLD
MARK W. MAITAG
MARK S. MANEVAL
GLENN E. MARSH
DEAN L. MARTIN
ARTHUR R. MATHISEN
KAREN J. MCCART
MICHAEL S. MENDENHALL
CARTER T. MEREDITH
MARY E. MILLER
HEIDI P. MON
JOSEPH M. MROZINSKI
MICHAEL J. NACK
WOODROW NASH, JR.
RALPH T. NAZZARO
JEFFREY J. NEIGH
MARK F. NEWSOME
DANIEL A. NICHOLS
MICHAEL T. PEACOCK
KEVIN A. PECK
MICHAEL E. PERRY
RICARDO A. REYES
CHRISTIAN P. RICHARDS
MICHAEL A. D. RICHARDS
STEVEN J. RICHTER
GERI L. ROBERTSON
TODD A. RYKTARSYK
DAVID A. SARTORI
ANTHONY L. SCHUSTER
JEFFREY J. SHAW
SHANNON N. SHAW

ROBERT B. SIDELL
SUSAN M. SLOAN
KEVIN S. SMITH
LESLIE E. SMITH
NATHANIEL L. SMITH
WILLIAM J. M. SMITH
BRIAN C. SPANGLER
KATRINA M. STREETER
VICTOR A. SUAREZ
REBECCA J. TERRY
ROBERT R. TIEDEMANN
BRETT H. VENABLE
MATTHEW W. VOYLES
ERIC J. WAGAR
BRYAN J. WALRATH
LESLIE G. WALTHALL
KEITH D. WASHINGTON
CHRISTOPHER M. WILSON
JASON G. WILSON
JOHN D.A YEAW
TODD M. YOSICK
DAVID R. ZINNANTE
D001972
D010155

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

BRIAN E. ABELL
GILBERT AIDINIAN
AARON G. AMACHER III
ROGER A. ANDERSON
THOMAS J. BACKENSON
ERIC Y. BADEN
VINCENT L. BALL
BEAMAN N. A. BANKS
RUSSELL L. BARFIELD
KIMBERLY R. BARRETT
TYSON E. BECKER
RONALD D. BEESLEY
WILLIAM F. BIMSON
JOHN A. BOGER
JONATHAN A. BOLLES
BASCOM K. BRADSHAW
JAMES M. BROWN
KEVIN L. BUFORD
TIEN D. BUI
BENJAMIN D. BYERS
JASON B. CABOOT
ANGELITA M. CALLAHAN
AARON S. CARLISLE
PATRICK J. CONTINO
JIMMY L. COOPER
LISA C. COVIELLO
PHILLIP B. CUENCA
CORD W. CUNNINGHAM
JENNIFER J. DACUS
KARLA L. DAVIS
DAVID H. DENNISON
JOSEPH G. DOUGHERTY
GARY L. EBERLY
COLIN C. EDGERTON
JEREMY V. EDWARDS
JOSEF K. EICHINGER
DAVID J. EIGNER
SHANNON B. ELLIS
MICHELLE K. ERVIN
MATTHEW N. FANDRE
MATTHEW V. FARGO
BRADLEY C. GARDINER
DUNCAN A. GILLIES II
BRUCE A. GLEASON
DAVID GLOYSTEIN
ELIZABETH A. GROSSART
AIKA S. GUMBOC
THOMAS J. HAIR
BRIAN T. HALL
ELLINA HALL
RONALD D. HARDIN, JR.
DAWN M. HAROLD
DAVID P. HARPER
WAYNE J. HARSHA
JASON S. HAWLEY
BRYAN S. HELSEL
GARTH S. HERBERT
JOSHUA P. HERZOG
MATTHEW S. HING
AARON B. HOLLEY
CHAD K. HOLMES
NELSON HOWARD
PAULA J. JACKSON
MARK L. JACQUES
MATTHEW A. JAVERNICK
JEFFERSON W. JEX
DIANE K. JONES
TIMOTHY W. JUDGE
RYAN J. KENEALLY
EUGENE H. KIM
WON I. KIM
JUDY KOVELL
HERBERT P. KWON
CHRISTINE A. LAKY
LOUIS J. LAND
DAVID G. LAWTON
LLEWELLYN V. LEE
DOWNING LU
JENNIFER W. MBUTHIA
THANE MCCANN
MICHAEL Y. MCCOWN
BRIAN R. MCMILLAN
SCOTT T. MCNEAR
GARY E. MEANS
STEVE B. MIN
SCOTT J. MURCIN
JACQUELINE NAYLOR
LAUREL A. NEFF
BRETT A. NELSON
DANA R. NGUYEN
CHARLES D. NOBLE
PETER D. OCONNOR
STEPHEN W. OLSON
DAVID J. OSBORN
JEREMY C. PAMPLIN
IOANNIS B. PAPADOPOULOS
DINA S. PAREKH
PARESH R. PATEL
RUSSELL M. PECKHAM
CHRISTOPHER L. PERDUE
JORDAN E. PINSKER
BENJAMIN K. POTTER
DUNFORD N. C. POWELL
GORDON K. RAINEY
DAVID A. RANKIN
ROSEANNE A. RESSNER
ANGEL M. REYES
WILLIAM V. RICE, JR.
PEACHES A. RICHARDS
ERIC R. RICHTER
ROBERT G. RIVARD
MICHAEL J. ROACH
ERIC A. ROBERGE
JEFFERSON R. ROBERTS
DAVID RUFFIN
TAYLOR L. SAWYER
KEVIN E. SCHLEGEL
JEFFREY N. SCHMIDT
KEITH A. SCORZA
MICHAEL J. SOCHER
MICHELE A. SOLTIS
WON S. SONG
MARK E. STACKLE
FREDERICK L. STEPHENS
NEIL R. STOCKMASTER
ABRAHAM W. SUHR
TIMOTHY L. SWITAJ
NATHAN TAGG
BRENT A. TINNEL
PETER H. VANGEERTRUYDEN
TIMOTHY G. VEDDER
VANESSA A. VENEZIA
KRISTINA S. WALICK
KYLE WALKER
CHARLES WEBER
LUTHER WIEST
JOHN W. WILLIAMS
KEVIN M. WOODS
BELINDA J. YAUGER
D010333

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

LING YE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

GREGORY E. RINGLER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CRAIG S. COLEMAN
EDUARDO B. RIZO

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

PAUL D. GINKEL
GABRIEL S. NILES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

MICHELE M. DAY

To be lieutenant commander

DET R. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

STEVE M. CURRY
CYNTHIA J. FIELDS
JOHN E. GAY
WILLIAM M. KAFKA
TAMARA D. LAWRENCE
BARBARA J. MERTZ
JOHN P. PERKINS
RYAN M. PERRY
WILLIAM R. URBAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

AMY L. BLEIDORN
ERLINA A. HAUN
BENJAMIN A. JONES
RUTH A. LANE
MICHAEL J. LOOMIS, JR.
SHANE STOUGHTON
ALLON G. TUREK
KENNETH A. WALLACE
MICAH A. WELTMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MICHAEL J. BARRIERE
REX D. BURKETT
RAMIRO E. FLORES
ARSENIO S. FRANCISCO
CARL C. HINK
WINFORD A. PEREGRINO
MARILEE A. PIKE
TIMOTHY M. SNOWDEN
MATTHEW T. WILCOX

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BRIAN M. BALLER
JOHN R. BUSH
ALEXANDER C. DUTKO
RICHARD M. GENSLEY
MICHAEL P. KLINE
THOMAS J. KNEALE, JR.
TANYA D. LEHMANN
JONATHAN A. MCELLROY
DONALD L. MOSELEY, JR.
DAVID S. MURRAY
MICHAEL J. SAVARESE
CHRISTIAN M. SEWELL
HOLLY B. SHOGER
MICHAEL J. SZCZERBINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HEATH D. BOHLEN
SCOTT M. BOOTHROYD
ANDREW J. CAMPBELL
HUBERT C. DANTZLER III
JOANNA C. JACKOBY
ERIC S. LASER
BRYAN H. LEESE
JASON D. MENARCHIK
DOROTHY S. MILBRANDT
JON A. OCONNOR
SEAN T. OCONNOR
MICHAEL V. OWEN
ERIC S. PARTIN
JOHN W. SHONE
KIRBY L. TOLCH
MAXIMILLIAN L. WESTLAND
MATTHEW C. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DERECK C. BROWN
CORY C. CHRISTENSEN
MARK E. DENNISON
DANNY J. GARCIA
FRANK T. GOERTNER
KEITH J. HARNETIAUX
LEONID L. HMELEVSKY
LUIGI L. LAZZARI
MICHAEL P. MEYDENBAUER
TUAN NGUYEN
DAVID D. OBRIEN
DAVID C. PARKER
STACEY A. PRESCOTT
DAVID L. RICHARDSON, JR.
ERICH J. SCHUBERT
JASON W. STARMER
SHERRY W. WANGWHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARC A. ARAGON
PABLO C. BREUER
CORY S. BRUMMETT
JESUS M. CORDEROVILA
ANDREW R. DITTMER
DONALD E. HOCUTT
JASON C. KEDZIERSKI
LAURO LUNA
SAMUEL I. MARSHALL
BRADLEY R. NALITT
HEZEKIAH NATTA, JR.
JASON A. PARISH
RAFAEL PEREZ, JR.
ANDRE N. ROWE
JONATHAN W. SIMS
DAVID J. WHITE
MICHAEL WILLIAMSON
ROBERT A. YEE

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

KEVIN J. BEHM
MARK B. CALLAGAN
QUENTIN M. COOPER
DOUGLAS A. EVANS
CHRISTIAN O. EZE
PETER A. FIELD
DANIEL R. FULTON
THOMAS D. FUTCH
ROBERT R. GIVEN
DOUGLAS G. HAGENBUCH
JUSTIN R. HARDY
BRYAN P. HART
JONATHAN T. HINES
PRESTON S. HOOPS
CARL D. JAPPERT
SETH R. KRUEGER
MICHAEL B. LEE
ALFRED W. LONG, JR.
ROBERT A. LOW
ZACHARY D. MERRITT
SAMUEL C. MILLS
JEREMY MINER
GREGORY F. NOTARO
KELSEY C. PETERSON III
NICHOLAS R. PINKSTON
BRIAN M. RHOADES
MICHAEL J. SIEDSMA
EVAN P. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIK E. ANDERSON
SCOTT P. BAILEY
MARIO BENTIVOGLIO
CINDA L. BROWN
REMIL J. CAPILI
SAMUEL F. CORDERO
JOSHUA D. CRINKLAW
JUSTIN A. DOWD
GREGORY L. ELKINS
RODNEY H. ESTWICK
KEVIN M. FLOOD
ANDREW J. GILLESPY
JASON GRABELLE
RICHARD A. JONES
BRIAN A. KAROSICH
JEROD W. KETCHAM
DANIEL C. KIDD
JONATHAN J. H. KIM
JAMES A. KUHLMANN
JON P. LETOURNEAU
JOHN R. MENTZER
DAVID A. MONTI
DAVID L. MURRAY
KYLE OLECHNOWICZ
MARK C. PARRELLA
CHRISTOPHER J. PETERSON
DEREK E. REEVES
MATTHEW K. SCHROEDER
MATTHEW L. TARDY
SCOTT A. TRACEY
MICHAEL A. VIOLETTE
OMAR J. WHEATLEY
CHRISTOPHER G. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RENE V. ABADESCO
ALAN D. ABSHEAR
KEVIN S. BARNETT
BRUCE G. BRONK
CARVIN A. BROWN
DANIEL J. CARIUS
BRYAN K. CATOE
CLIFFORD COLLINS
CHARLES C. COWART
MICHELLE M. DEBOURGE
THOMAS A. DECKER
JOEL A. DOANE
TINA G. DOLAN
BRADY J. DRENNAN
KELLY D. ENNIS
JOSEPH G. FELTOVIC
ALLEN L. FRY
TYLER R. FRYE
FRANK FUENTES III
MARC T. GOODE
ROGER A. HAHN
JAMES L. HAMILTON
STEVEN D. INGRAM
ATKINS JINADU
PETER J. KLOETZKE
FRANK S. KREMER
KENNETH J. LOOKABAUGH
CHARLES E. LYNCH
JIMMY H. MELTON
JACK D. MILLER
ROCCO F. MINGIONE, JR.
OLIVER C. MINIMO
DENNIS MOJICA
JEROME D. MORRIS
EDGARDO R. NARANJO
GIL V. NICDAO
MARK A. NOWALK
JOHN E. OLANOWSKI
JAMES W. PITCOCK
PAUL H. PLATTSMIER
TERRY J. PRATT
KEITH E. SHIPMAN
JERRY L. SMITH, JR.
WAYNE D. SMITH
ERIC J. STEIN
MARK A. STONE
REYNALDO T. TANAP
EUGENE T. TSCHUDY
GEORGE G. VERGOS
BRIAN O. WALDEN
DOUGLAS D. WASKIEWICZ
THOMAS N. WHITEHEAD
DWAINE C. WHITHAM
ERIC M. WILLIAMS
MARK W. YATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID J. ADAMS
HENRY J. ALLEN
WALTER H. ALLMAN III
BRIAN S. AMADOR
GABRIEL A. ANSEEUW
KENNETH M. ATHANS
MICHAEL L. ATWELL
DANIEL J. AUGUST
GILBERT AYAN
THOMAS B. AYDT
TODD S. BAIER
WILLIAM C. BAKER
KURT D. BALAGNA
ANDREW R. BARLOW
RAYMOND F. BARNES, JR.
JOHN S. BARSANO
ANDREW D. BATES
KYLE R. BEAHAN
PATRICK J. BEAM
WILLIAM J. BERRYMAN
BRANNON S. BICKEL
BRYAN J. BILLINGTON
JENNIFER M. BLAKESLEE
RYAN J. BLAZEVICH
HOWARD J. BOGAC
MATTHEW A. BOGUE
KURT H. BOHLKEN
DANIEL A. BOMAN
ORLANDO S. BOWMAN
JOHN F. BRADFORD
MICHAEL P. BRADLEY
FLINT J. BRADY
KENDALL G. BRIDGEWATER
CARL W. BROBST, JR.
BOBBY E. BROWN, JR.
CALEB C. BROWN
CHRISTOPHER A. BROWN
DEREK R. BROWN
TROY A. BROWN
JOSEPH R. BRUNSON
SAMUEL C. BRYANT
SCOTT J. BUCHAR
THOMAS A. BUECKER
CALVIN E. BUMPHUS
LEONARD BUNCH
SEAN K. BURKE
PAUL R. BURKHART
DAVID A. BURMEISTER
JOSEPH P. BURNS
PATRICK BURRUS
CHARLES W. BURTON
RAOUL J. BUSTAMANTE
KEVIN H. CADY
RUSSELL J. CALDWELL
LEWIS W. CALLAWAY
MARCOS D. CANTU
KEVIN R. CARLSON
TODD D. CARROLL
CHRISTOPHER D. CARTER
JOSEPH J. CASALE
BRICE D. CASEY
BRIAN J. CEPAITIS
MEGER D. CHAPPELL
GARY M. CHASE
TONY CHAVEZ
KIRK A. CHRISTOFFERSON
JASON L. CHUDEREWICZ
THANE C. CLARE
SHANNON M. CLARK
JEREMY L. CLAUZE
ADAM C. CLAYBROOK
RYAN D. COLLINS
BRIAN D. CONNOLLY
TIMOTHY A. CRADDOCK
MARC D. CRAWFORD
RANDY C. CRUZ
ERIK L. CYRE
SAMUEL J. DALE
ADAM C. DEJESUS
MATTHEW B. DELABARRE
LEROY P. DENNIS III
MICHAEL P. DESMOND
STANLEY G. C. DICKERSON
CORBETT L. DIXON
STEVEN V. DJUNAEDI
BENJAMIN W. DOMOTO
MATTHEW E. DOYLE
JAMES P. DREW
MICHAEL R. DUBUQUE
BENJAMIN P. DUELLEY
DARREN T. DUGAN
CHARLES E. EATON
JENNIFER L. EATON
CHARLES B. ECKHART
ROY A. EDGE
DAVID C. ELLIS
CHRISTOPHER S. ENGLAND
RICARDO A. ESCALANTE
RICKSON E. EVANGELISTA
FORD C. EWALDSEN, JR.
RAFAEL C. FACUNDO
STEVEN E. FAULK
JUSTIN T. FAUNTLEROY
TROY A. FENDRICK
ARJUNA FIELDS
DANIEL E. FILLION
BENJAMIN H. FINNEY
STANFORD E. FISHER III
ADAM L. FLEMING
JOHN K. FLEMING
PAUL N. FLORES
STEVEN M. FOLEY
JACOB A. FORET
EDWARD R. FOSSATI
MATTHEW T. FRAUENZIMMER
ERIC B. FROSTAD
CHRISTOPHER L. FUSSELL
SAMUEL D. GAGE
WILLIAM D. GALLAGHER
MARCUS B. GALMAN
WILLIAM K. GANTT, JR.
JUAN R. GARCIA
JOSE L. GARZA
STEVEN P. GARZA
CHRISTOPHER C. GAVINO
JEFFERY J. GAYDASH
JASON M. GEDDES
PATRICK E. GENDRON
CHAD A. GERBER
ROBERT S. GEROSA, JR.
WILLIAM E. GIBSON
CHRISTOPHER J. GILBERTSON
JEFFREY A. GLASER
JASON A. GMEINER
JAVIER GONZALEZOCASIO
GEOFFREY A. GORMAN
THOMAS R. GOUDREAU
AMY E. GRAHAM
CHAD W. GRAHAM
JOSEPH R. GREENTREE
DALE M. GREGORY, JR.
SEAN T. GRUNWELL
MICHAEL J. GUNTHER
JOHN W. HALE
MATTHEW H. HALL
CHARLES E. HAMPTON
ADAM C. HANCOCK
ERIC M. HANKS
MICHAEL H. HANSEN
ASHLEY M. HARRIS
WILLIAM D. HAWTHORNE
TIMOTHY S. HENRY
MANUEL HERNANDEZ
ERIC P. HIGGS
KATRINA L. HILL
ARTHUR A. HODGE
JUSTIN R. HODGES
PETER HOEGEL, JR.
KEVIN J. HOFFMAN
BRIAN P. HOGAN
TODD K. HOLBECK
MICHAEL C. HOLLAND
STEVEN N. HOOD
PAVAO A. HULDISCH
CHRISTOPHER M. HUNTER
ABIGAIL A. HUTCHINS
TODD E. HUTCHISON
WADE A. IVERSON
JONATHAN W. JACKSON
MARCOS A. JASSO
CEDRICK L. JESSUP
IVAN A. JIMENEZ
EDWARD D. JOHNSON
JEFFREY F. JOHNSON
JOSEPH P. JOHNSON
MICHAEL R. JOHNSON
BARTOLOME R. J. JUMAOAS
DAVID I. KAISER
REGINA P. F. KAUFFMAN
PAUL J. KAYLOR
MARC A. KENNEDY
JOHN C. KIEFABER
DANIEL W. KIMBERLY
SHAWN C. KIRLIN
ARIEL S. KLEIN
JASON S. KNAPP
STEPHEN M. KOSLOSKI, JR.
JUDD A. KRIER
NEIL A. KRUEGER
HERBERT E. LACY
TEAGUE R. LAGUENS
BRANT T. LANDRETH
JOEL B. LANG
DOUGLAS M. LANGENBERG
MICHAEL D. LEE
MICAH A. LENOX
JOHN C. LEPAK
MARK A. LITKOWSKI
TOMMY L. LIVEOAK
DENNIS S. LLOYD
RYAN J. LOGAN
DANIEL J. LOMBARDO
JUSTIN A. LONG
JOSEPH R. LOSIEVSKY
ELAINE G. LURIA
ROBERT D. LUSK
ALEX T. MABINI
ADAM J. MACKIE
WALTER C. MAINOR
RONALD P. MALLOY
RONNIE P. MANGSAT
NICOLAS V. MANTALVANOS
CRISTINA S. MARECZ
JAJA J. E. MARSHALL
RAYMOND S. MARSHALL

CHRISTOPHER E. MARVIN
JOSEPH S. MATISON
STEPHEN B. MAY
THOMAS A. MAYS
GEOFFREY P. MCALWEE
GINA L. MCCAINE
SEAN M. MCCARTHY
MILTON B. MCCAULEY
CARLTON J. MCCLAIN
STEVEN R. MCDOWELL
SCOTT J. MCGINNIS
RICHARD S. MCGOWEN
MARK L. MCGUCKIN
AMY M. MCINNIS
JACK E. MCKECHNIE
CHARLES A. I. MCLENITHAN
GREGORY D. MENDENHALL
MICHAEL W. MERRILL
STEPHEN M. MERRITT
SEAN J. MICHAELS
GARRETT H. MILLER
CHRISTOPHER G. MILNER
ETHAN D. MITCHELL
ANTHONY I. MONELL
JAMES C. MONTGOMERY
SHANNON L. MOORE
KATHLEEN A. MULLEN
DAVID R. MULLINS
DAVID E. MURPHY
CHRISTOPHER S. MUSSELMAN
ANTHONY M. MYERS
PAUL S. NAGY
MICHELLE L. NAKAMURA
JEREMY P. NILES
JESSICA J. OBRIEN
PAUL J. ODEN
PATRICK H. OMAHONEY
TERRANCE D. ONEILL
SEAN D. OPITZ
MATTHEW H. ORT
CHRISTOPHER M. OSBORN
TIMOTHY A. OSWALT
GONZALO PARTIDA
KAMYAR PASHNEHTALA
NIRAV V. PATEL
HADEN U. PATRICK
GEOFFRY W. PATTERSON
MICHAEL J. PAUL
ROBERT S. PEARSON
DOUGLAS J. PEGHER
ERICK A. PETERSON
BENJAMIN A. PHELPS
ISAAC A. PHILIPS
MIKAL J. PHILLIPS
RYAN M. PHILLIPS
TODD K. PHILLIPS
MARC A. PICARD
STEPHEN C. PLEW
COREY J. PLOCHER
CHRISTOPHER J. POLK
THOMAS R. POULTER
MICHAEL E. POWELL
ANDREW L. PRESBY
WILLIAM G. PRESSLEY
COREY L. PRITCHARD
GREGORY J. PROVENCHER
BRETT A. PUGSLEY
JAMES A. QUARESIMO
DANIEL T. QUINN
MICHAEL J. RAK
KEVIN W. RALSTON
JAMES F. RANKIN
KELAND T. REGAN
TIMOTHY P. REIDY, JR.
PAUL B. REINHARDT
MATTHEW A. RENNER
JASON M. RHEA
CHRISTOPHER A. RICHARD
JEFFREY A. RICHTER
CHRISTOPHER J. RIERSON
ANDREW H. RING
ROBERT P. ROBBINS
MARTIN L. ROBERTSON
DAVID J. ROGERS
OSCAR E. ROJAS
SEAN RONGERS
ARNOLD I. ROPER
JOANNIS C. ROUSSAKIES
ERIC J. ROZEK
WILLIAM S. RUTHERFURD
THOMAS A. RYNO
KARREY D. SANDERS
BRIAN D. SANDERSON
ADAM P. SCHLISMANN
WILLIAM M. SCHOMER
ASHLY H. SCHWARTZ
JASON W. SCHWARZKOPF
BRANDON M. SCOTT
RYAN P. SHANN
JOHN D. SHANNON
JAMES P. SHELL
KEVIN R. SHILLING
WILLIAM H. SHIPP
ROBERT Y. SHU
MICHAEL C. SIMPSON
ERIC J. SINIBALDI
SEAN L. SLAPPY
ROBERT G. SMALLWOOD III
ANTHONY F. SMITH
GERALD N. SMITH
JANICE G. SMITH
JEFFREY J. SMITH, JR.
MELVIN R. SMITH, JR.
WILLIAM S. SNYDER, JR.
JEFFREY D. SOWERS
CRAIG E. SPEER
JONATHAN E. SPORE
JOHN W. STAFFORD
JONATHAN A. STALEY
JEFFREY W. STEBBINS
THOMAS S. STEPHENS
JAMES W. STEWART
JASON W. STEWART
RONALD L. STOWE
RAYMOND G. STROMBERGER
JARROD W. STUNDAHL
JAMES T. SULTENFUSS
EDWARD D. SUNDBERG
LISA A. SUTTER
SCOTT A. SWAGLER
WILLIAM F. SWINFORD
OLAF O. TALBERT
JASON S. TAYLOR
MILCIADES THEN
MEGAN A. THOMAS
JEREMY F. THOMPSON
SHEA S. THOMPSON
TIMOTHY M. THOMPSON
JAMES T. THORP
TROY A. TINKHAM
JASON L. TOMASOVIC
JOSEPH A. TORRES
JASON I. TOSCANO
DARYL E. TRENT
MATTHEW B. TUCKER
ELISABETH A. VAGNARELLI
JEREMY T. VAUGHAN
JAMES O. VEGA
KEVIN J. VOLPE
HOLGER M. WAGNER
MICHEAL K. WAGNER
STEFAN L. WALCH
KENNETH P. WARD
SAMUEL G. WARTELL
JOHN W. WEIDNER, JR.
EDWARD M. WEILER
ORION P. WELCH
DAVID S. WELLS
DONALD G. WETHERBEE
MARTIN L. WEYENBERG
CARL B. WHORTON
PAUL D. WILL
JASON W. WILLENBERG
SAI G. WILLIAMS
GREGORY R. WISEMAN
MICHAEL F. WOLNER
JOHN I. WOOD
ROY A. WYLIE
MARK E. YATES
JASON P. YOUNG
ROY M. ZALETSKI
RICHARD A. ZASZEWSKI
KEVIN P. ZAYAC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BRIAN P. BURROW
WILLIAM A. DANIELS
KEVIN R. LOCK
DOMINIC R. LOVELLO
CHRISTOPHER A. WEECH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DERRICK E. BLACKSTON
SADYRAY M. CARINO
JEREMY L. DUEHRING
JASON A. HUDSON
CLAUDE M. MCROBERTS
MICHAEL P. MORAN
RAJSHAKER G. REDDY
HERMAN L. REED
LOREN S. REINKE
TODD M. SINCLAIR
BRENDA M. STENCIL
TODD M. SULLIVAN
DEREK A. VESTAL

CONFIRMATION

Executive nomination confirmed by the Senate June 14, 2012:

DEPARTMENT OF STATE

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR.