

We don't have freedom of worship in America. China has freedom of worship. We have the free exercise of religion, where we can live our faith outside of our church buildings, in our private lives, even if you are a public individual.

It is reasonable for this Congress to speak out on this issue because it is a First Amendment freedom. Protecting one coach's right to pray protects every person's right to pray in the Nation.

So let me ask a question. Is the district going to engage in stopping coaches from kneeling down on the sideline during the fourth quarter in a last-second field goal attempt and prevent them from praying on the sidelines? That is a rich tradition in football.

How about this moment. Last Saturday at Oklahoma State University, we had an incredible tragedy where a car careened through the homecoming parade, killing many and injuring many more. It was a horrible tragedy. It happened just hours before the game. Players and coaches at Oklahoma State University walked out of the tunnel, and before the game started—when typically they would all gather and cheer together—they instead chose, players and coaches, to kneel down on the sideline and to pray for the families who were affected by this incredible tragedy just hours before. This apparently offends some people, that people in a State setting would express their private faith. Nothing was mandated about this. This was a group of players and coaches, that their heart was grieved for what was happening in their city and among the Oklahoma State family. This shouldn't be prohibited in America. This is who we are.

I don't challenge the people in Bremerton. These are all honorable people who want what is best for Bremerton, WA, families. They all care about their kids there. The superintendent, the principal, the coaches, they all care about the kids there. This is a genuine misunderstanding of what our Nation protects and what our Nation stands for.

Article 6, clause 3 of the Constitution says this: "No religious test shall ever be required as a qualification to any office or public trust under the United States."

In our Constitution, any individual who serves in any public trust in the United States doesn't have to set their faith aside nor have to take on any faith. In America, you can have a faith and live it or you can have no faith at all. That is the United States of America.

Every day in this Chamber, including today, the Chaplain for the U.S. Senate begins our session in prayer. In this Chamber, the words "In God We Trust" are written right above the main doors as we walk in, the same as it is in the House Chamber above the Speaker's chair. We are not a nation that is trying to purge all faith. We are a nation that allows people to live their faith.

I ask individuals in this Chamber right now who choose to, to even pray with me as I close out this statement.

Father, I pray for Coach Kennedy and the leadership of Bremerton, the superintendents, and the principals. They have a difficult job, and I pray that You would bless them today. And I pray that You encourage those students, as they struggle with this basic religious freedom that we have in this Nation, that there would be a unity there and a decision that would be made that would clearly stand on the side of freedom. For the coaches and teachers of all faiths who serve there and serve across our Nation, I pray that You would bless those coaches and teachers today. They do a difficult task. As they walk with students through difficult decisions, I pray that You would encourage them in Your faith.

Thank You, Jesus, for the way that You sustain our Nation and for the freedom that we have. We ask Your help in protecting us.

In Your Name I pray. Amen.

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

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

#### UNANIMOUS CONSENT REQUESTS— S. 2165 AND S. 697

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 270, S. 2165, a bill to permanently authorize the Land and Water Conservation Fund; that the bill be read a third time and passed and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, reserving the right to object, I would like to ask that the consent be modified to pass a short-term extension, S. 2169, with my amendment, which is at the desk.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. MERKLEY. Mr. President, reserving the right to object, I will note that we secured this language an hour ago. We have no complete insight on the impact of the language, and this is language more appropriately debated in the committee process. I wish to ask my colleague to consider introducing it for action on the floor at some future point and not use it to obstruct funding or authorization of the Land and Water Conservation Fund. If my colleague is not comfortable with such a suggestion, then I would object.

The PRESIDING OFFICER. The Senator declines to modify his request.

Is there objection to the original request?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, this first request was to get this bill done right now and reauthorized. I am going to turn to a different possibility, which is to secure a debate here on the floor which would afford my colleague from Oklahoma the opportunity to present his thoughts.

I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Democratic leader, but no later than Thursday, November 12, the Senate proceed to the consideration of Calendar No. 270, S. 2165; that there be 1 hour of debate equally divided between the proponents and opponents; that upon the use or yielding back of time, the bill be read a third time and the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-affirmative-vote threshold; and, finally, that there be no amendments, motions or points of order in order to the bill.

The PRESIDING OFFICER. Is there objection?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. UDALL. Mr. President, we have now seen a demonstration. I want to talk to Senator MERKLEY about this. I ask unanimous consent to engage in a colloquy with him.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. UDALL. The Land and Water Conservation Fund is a piece of legislation that has been in place and in law for 50 years, as Senator MERKLEY knows. It has been in place for 50 years, and it has expired. There is overwhelming support for this. A number of us have signed letters. Senator BURR, who is here, I know has been a leader in terms of working on the Republican side. We have a huge amount of support, but a small little group is objecting to this moving forward.

I say to Senator MERKLEY, this is showing the dysfunction that here we have a bill and the leadership cannot get the bill on to the floor. I wanted to ask the Senator in terms of his State. I know in my State people love their parks. They love the Land and Water Conservation Fund. I think the same is true in Oregon; isn't it? This is something that we shouldn't have let lapse, and we have to put it in place.

Mr. MERKLEY. My colleague from New Mexico is absolutely correct. For these 50 years that he noted, the Land and Water Conservation Fund has protected millions of acres of our land, including playgrounds and parks, our most treasured national landscapes—

all without costing our taxpayers a single dime. It is, without question, our Nation's most important and successful conservation and outdoor recreation program.

Oregon, specifically, has received about \$300 million over the past five decades, safeguarding areas that are now complete treasures for our State, such as the Oregon Dunes and the Hells Canyon Recreation Area. These special places are part of our heritage, and protecting them has been made possible through this fund. It is a commitment to preserving these special places for future generations in Oregon and throughout the Nation, and it also serves to really strengthen the outdoor recreation economy in our State.

What is a win for our heritage is also a win for our rural economy. This effort to torpedo something of great value in terms of protection of special places and our rural economy is a step or a stride in absolutely the wrong direction.

Mr. UDALL. I say to Senator MERKLEY, one of the things we face here is that because the Land and Water Conservation Fund has not been reauthorized, there are Senators who are trying to attach this to other pieces of legislation. You and I have worked very well on the Toxic Substances Control Act, which now has over 60 votes. This has really held down both pieces of legislation. The Land and Water Conservation Fund can't be reauthorized, and we can't pass the Toxic Substances Control Act, which has overwhelming support.

We are in a situation where the leadership needs to step in and say: Both of these have huge support in the Senate—bipartisan support. Let's get a vote on them. Let's not continue to have this gridlock and dysfunction.

Does the Senator see it that way in terms of how this is playing out on the floor right now?

Mr. MERKLEY. I absolutely share the Senator's perspective on this. In terms of the Toxic Substances Control Act, TSCA, or the Lautenberg Act, as we now call it, this is an effort to remove—and you have championed this in a bipartisan way. You have brought this forward. It has been approved through an extensive committee process, and we have a shot, finally, to have a process in which we can take and remove toxic items from everyday products.

A good example is that we are standing here on a carpet, and the carpet is full of flame retardants that don't really retard flames but definitely cause cancer. Having those scientifically analyzed and considered as to whether they should be in our carpets or not makes a lot of sense. You think of little babies crawling during their first months of life on these carpets, and their noses are right down there in the dust. The dust is attached to these toxic chemicals. I believe your bill—this bill—not only is bipartisan, but it has more than 60 or at least 60 cosponsors.

Mr. UDALL. Yes.

Mr. MERKLEY. Here we are with this paralyzed process where a few individuals say: You know, I guess it is not important to get toxic cancer-causing items out of our household products. Also, it is not important that our States get flexible funds to preserve special places.

I suggest that rather than blocking such legislation, folks who have that mind come to the floor and make their case. If they want more cancer for our children, come to make your case. If you don't want to preserve special places in America, come and make your case. But do not obstruct this body from being able to have the conversation.

Mr. LANKFORD. Would the Senator consider consent to join the colloquy?

Mr. UDALL. Please, Senator LANKFORD.

Mr. LANKFORD. Thank you for letting me join the conversation.

The argument here is not against whether I would want or other Members would want cancer-causing items or would want to have the degradation. The problem is the degradation in our public parks and lands.

We have an \$11.5 billion backlog in our national parks right now. Inexplicably, the Land and Water Conservation Fund does not allow for the maintenance of what we have. The U.S. Government currently manages 29 percent of the land mass in the United States. We have a multibillion dollar backlog, including in our national treasure, which is the national parks that are out there.

This amendment that I have, and which others are proposing, is to simply say: Before we keep adding land—at least at the same rate we are adding more land—we should be maintaining that land. It is equivalent to if you are going to buy a car, you need to at least set aside some money to pay for gas.

All that we are asking for is something that has been asked for now for a long time through multiple committees and multiple hearings, and that is, that as we engage in purchasing new property, we also make sure we are setting aside dollars from the Land and Water Conservation Fund to actually maintain what we are purchasing.

The dollars that are there already are a \$20 billion amount that is set aside for the Land and Water Conservation Fund. The fund continues to function under the current CR. Appropriations have already been planned and put in place by the committees to be able to put it out there. This doesn't affect the current ongoing functioning. It only affects new dollars coming to the Land and Water Conservation Fund. It is already functioning as it is. In fact, it has a 65-year account set aside for it.

The challenge now is this: Are we going to maintain what we have or are we going to keep purchasing new lands and not maintain what we have? I would say we can protect us from can-

cer-causing agents and we can maintain what we have as well.

Mr. UDALL. Thank you, Senator LANKFORD, for that intervention.

I think the important point here—and I know Senator BURR is here on the floor so I am going to make a unanimous consent request with regard to TSCA. But let me just say that I can't agree with the amendment that Senator LANKFORD has talked about. I know it is very controversial—the idea of taking money out of the Land and Water Conservation Fund, which is going to the States for parks and to the Federal side for parks, and dedicating that to maintenance. That is something we should have done in budgets long ago, and the problem is we haven't had adequate budgets for our parks. So we have a backlog.

Senator MERKLEY mentioned, in terms of TSCA, the health and safety of children. There is one person I want to talk about, a woman by the name of Dominique Browning. She works with an organization called Moms Clean Air Force. She worries about her kids and the toys and the products they use. She herself survived kidney cancer. When she asked her doctor what caused the kidney cancer, he said:

It's one of those environmental ones. Who knows? We're full of chemicals.

This is about people such as Dominique Browning, who want to see a cop on the beat who is going to do something about chemicals. I think this dysfunction, this inability to deal with two very popular bills, is something on which we need the leadership to step in. The leadership has the control of the floor and is able to move forward.

So I rise today in support of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Last week, the Senate missed an opportunity to move forward on this bill and to send it to conference with the House. I was disappointed, but, I know that we can still get this done. And for the protection of American families we must get this done.

The Toxic Substances Control Act of 1976 is supposed to protect us. It doesn't.

There are over 84,000 known chemicals and hundreds of new ones every year. Only five have been banned by the EPA. Only five out of 84,000.

TSCA is broken. We all know this. It fails to protect families. It fails to provide confidence in consumer products. We have a chance to change that. And that is what our bill will do. That is why 60 Senators from both sides of the aisle support this critical reform.

For decades now, the risks are there, the dangers are there, but, there is no cop on the beat. American families are waiting for real protection.

Unfortunately, last week, because of Senate dysfunction, we asked them to wait a little longer.

They have waited too long already, because this is about our health and safety. This is about our children and

grandchildren. This is about people like Dominique Browning, who works with Moms Clean Air Force, who worries about her kids, and the toys and products they use every day. She herself survived kidney cancer. When she asked her doctor what caused her kidney cancer, he said: "It's one of those environmental ones. Who knows? We're full of chemicals."

This is about people like Lisa Huguenin. Lisa is a Ph.D. scientist who has done work on chemical exposure at Princeton and Rutgers and at the State and Federal level. But she is a mother first. Her 13-year-old son, Harrison, was born with autism and auto-immune deficiencies. Five years ago, Lisa testified before Senator Lautenberg's subcommittee on the need for reform. She is eager to see TSCA reform pass the Senate and be signed into law.

The time for TSCA reform is now, and it may not come again for many years. It has passed the House. It is ready to move through the Senate.

I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 121, S. 697, a bill to reauthorize and modernize the Toxic Substances Control Act; that the only amendment in order be a substitute amendment in order be a substitute amendment to be offered by Senator INHOFE; that there be up to 2 hours of debate equally divided between the two leaders or their designees; that following the use or yielding back of time, the Senate vote on adoption of the Inhofe amendment; that upon disposition of the substitute amendment, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended, with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BURR. Mr. President, reserving the right to object, I ask the author of this unanimous consent request to modify the unanimous consent request to allow an amendment to be considered in the TSCA debate, where we would take up the Cantwell-Murkowski bipartisan language on the reauthorization of the Land and Water Conservation Fund.

THE PRESIDING OFFICER. Does the Senator so modify his request?

Mr. LANKFORD. I object to the modification.

THE PRESIDING OFFICER. The Senator from Oklahoma objects.

Is there objection to the original request?

Mr. BURR. I object to the underlying unanimous consent request.

THE PRESIDING OFFICER. Objection is heard.

Mr. UDALL. Mr. President, we have hit a roadblock, not because of the substance, but because of a disagreement over a completely unrelated bill, the reauthorization of the Land and Water Conservation Fund. A bill that I, along

with a majority of Senators, strongly support.

I respect my colleague, Senator BURR. He is a true leader on LWCF. It never should have expired.

The reauthorization has strong, bipartisan support. Fifty-three Senators signed a letter led by Senator BURR recently, and I am confident there are over 60 supporters.

I believe that we will reauthorize and continue to fund LWCF. As the ranking Democrat on the Interior Appropriations Subcommittee, that is an extremely high priority for me and it is extremely important to the people of my State.

I want to work with Senator BURR. But, LWCF is being blocked by a small minority from Senator BURR's own party.

We have to fight that, and we will. But, TSCA reform should not be held up by demands for a vote on unrelated LWCF legislation.

Groups like the National Wildlife Federation and others who support LWCF reauthorization have called to decouple the two. Other members of the LWCF coalition have told me this as well.

The safety of American families should not be held hostage to the LWCF because the result is all too obvious. The safety of our children and grandchildren is put at risk each and every day that we delay TSCA reform. Is it any wonder the American people look at the Senate with dismay and confusion? At times like this I share their frustration.

Again, I respect Senator BURR. He is a cosponsor of our bill. And I know he does not want a dysfunctional Senate. He fought hard to get the Senate to work out its differences on his cyber security legislation. The Senate passed that bill this week.

The Lautenberg Act deserves the same push. We need cooperation, not ultimatums. I will keep doing what I can to continue the conversation and move forward.

We cannot sacrifice the health of infants and pregnant women, of the elderly and our most vulnerable, to Washington gridlock and obstruction.

It has been a long road. This is a balanced bill and a bipartisan bill. One that Republicans, Democrats, industry, and public health groups can all support. This is historic and urgently needed reform.

So, we won't give up. We will keep going. We aren't just Senators. Many of us are also parents and grandparents. We know how important this is.

This is about the health and safety of our families too, and I believe we can do this.

Our former colleague, Senator Lautenberg, who began this effort years ago, believed we could as well. TSCA reform was his last legislative effort, and he believed it would save more lives than anything he had done. We are proud to have the support of his

widow, Bonnie. I want to repeat what Bonnie said so eloquently at the EPW hearing earlier this year.

She said: This cause is urgent, because we are living in a toxic world. Chemicals are rampant in the fabrics we and our children sleep in and wear, the rugs and products in our homes and in the larger environment we live in. How many family members and friends have we lost to cancer? We deserve a system that requires screening of all chemicals to see if they cause cancer or other health problems. How many more people must we lose before we realize that having protections in just a few states isn't good enough? We need a federal program that protects every person in this country.

Bonnie Lautenberg is right. How long must American families wait?

They have waited long enough. They should not keep waiting because of a dysfunctional Senate.

Moms like Dominique and Lisa are watching and waiting and asking. What are we doing to protect their children, and the children of New Mexico, New Jersey, New Hampshire, North Carolina, and every other State.

Reform is 40 years overdue. So, one way or another, we will pass this bill in the Senate. We will resolve our differences with the House, and this critical reform will go to the President's desk.

Senator MERKLEY, we are here at this point where we saw—and we have now been joined by Senator MARKEY also, and if Senator MARKEY wishes to participate in this colloquy, I would ask consent to do that.

We are at a point where we have two very popular pieces of legislation that have enough votes to get them on the floor and to deal with a filibuster, and we don't have the ability to do that. So that is where we are. It is time for this place to abandon dysfunction and abandon the kind of gridlock we see and get these bills on the floor.

As Senator MERKLEY said, if people have an objection or an amendment like the Senator from Oklahoma, they can come down and offer it. I don't know what my friend's thoughts are, but Senator MARKEY is here and I am sure is willing to speak on this issue also.

Mr. MERKLEY. I think what is extraordinary about this situation is that both of these bills have at least 60 cosponsors, which as Senator UDALL pointed out is enough to close debate and get to a final vote. There was a time not very long ago when even controversial bills were voted on by a single majority. Unfortunately, we are now at the point where virtually every bill has to get cloture because some individual objects to having a debate, even if they are not willing to stand on the floor and debate it, and that is another topic. The Senator from New Mexico and I have suggested that we need to change that, so if someone objects to certain legislation, that Member should be on the floor speaking

about their objection so it is transparent to the American public.

Nonetheless, in this situation, we already have 60 supporters for both of these bills. We have 60 supporters and cosponsors for the Land and Water Conservation Fund and 60 supporters for TSCA—the Lautenberg act, which is now my colleague's act—and they are both very important to our country. So for us to fail to get these bills on the floor and act is a dramatic example of the failure of this institution to be able to operate as a legislature.

This can be cured. The majority leader could arrange to bring these bills to the floor. With his support and the support of the cosponsors, we could get cloture to bring those bills to the floor, and that would not only be a tribute to how the U.S. Senate functions, it would also do important work for the people of America by reauthorizing the funds to protect our special places and creating a system that will operate effectively to get toxic chemicals out of our everyday products.

I think it comes as a shock to people across America that we have not regulated a single chemical that goes into toxic products since 1991, and it is absolutely unacceptable. They believe and expect that the items they handle every day have gone through the process of being safe and that we are not poisoning ourselves, and it is very shocking to discover that is not the case.

These are two very important bills to our country. Both of these bills have 60 supporters. Let's get them to the floor and show that the Senate can actually be a deliberative body and that we can do good work for the future of America.

Mr. UDALL. I thank my friend.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senators from New Mexico and Oregon for their leadership on this issue.

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity. . . .

There is a certain Dickensian quality to the Senate floor today. We rarely have debate on environmental bills that enjoy not only token bipartisan support but overwhelming bipartisan support. Today is the best of times, the age of wisdom, and the epoch of belief because we can debate not just one environmental bill that has overwhelming bipartisan support but two bills that have overwhelming bipartisan support. Yet today is also the worst of times, the age of foolishness and the epoch of incredulity because a handful of Senate Republicans have just prevented both of these bills from even getting a vote.

First, we had a request to reauthorize the Land and Water Conservation Fund, a program conceived of by John F. Kennedy, who presented Congress with draft legislation for it in 1963. I

am proud to be counted among the more than 60 Senate supporters of the Land and Water Conservation Fund.

Next, we had a request to consider reform of the Toxic Substances Control Act that helps to protect the American people against these dangerous toxic chemicals. I am proud to be a supporter of the language the Senate is expected to vote on, and some have predicted upward of 85 Senate votes in favor of that environmental bill.

First, a handful of Senate Republicans will not allow a vote on the Land and Water Conservation Fund because they don't like the program, and then other Senate Republicans who do like the Land and Water Conservation Fund will not allow a vote on TSCA because we couldn't act on the Land and Water Conservation Fund.

This is nothing short of absurd. It is hard enough to reach a consensus in the U.S. Senate on any issues, much less environmental issues, but some of our colleagues seem determined to snatch defeat from the jaws of victory.

Shouldn't we be able to make this the best of times on both of these bills while we have the chance to do so instead of perpetuating the worst of times view that Americans increasingly have of the ability of Congress to get its job done?

I hope all of my colleagues can come together so we can agree that here, where there are far more than 60 votes on the Senate floor for two historic environmental bills—that we do not allow for a small handful of Members to be able to stop both bills from being able to even be considered on the Senate floor.

Yesterday's agreement on the debt ceiling and on having the budget go forward is how Congress should be operating. We should take the big issues, try to work together, and understand that there are going to be differences of opinion, but when there is overwhelming support for legislation, we should be able to move forward.

I thank the Senator from New Mexico. I thank all who have worked on this issue on a bipartisan basis. This bill has vastly improved the TSCA bill from where it was months ago, and I highly recommend it to my colleagues on the Senate floor. The Land and Water Conservation Fund is something that goes back so many decades, and it is central to a continuation of the commitment that each and every State in our country is able to make on two environmental programs.

I hope we can find a way of resolving this issue because it is time for us to take action on the Senate floor on these two critical environmental issues.

I yield back to the Senator from New Mexico.

Mr. UDALL. I thank the Senator from Massachusetts.

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. BURR. 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. BURR. I thank the Presiding Officer.

Let me stand and take all the blame. I am the guy holding up the chemical bill, TSCA.

This is the greatest deliberative body in the world. This is an institution that has never shied away from any debate or any vote, and we proved it last night as we passed a very technical, difficult cyber security vote. We can take on tough issues and we can weed through them, but what we are doing today is a charade. We said that at 12 we would come down here and that there would be competitive unanimous consent requests. It is a joke. It is an absolute joke. We forced the Presiding Officer to be here to object, knowing he strongly objects to the legislation.

There is one guy who has been trying to facilitate this, and that is Senator INHOFE. Throughout the whole process he has tried to work it out, but the fact is maybe we are at a stalemate. To suggest that I shouldn't have the opportunity to amend any piece of legislation is to take every right I have as a U.S. Senator. To come to the floor and chastise any Member because they would like to amend legislation—that is why we were sent here by our constituents from our States.

If we look back at over 200 years of history, we know this body doesn't allow the biggest State to win. It allows every State to have their voice heard and every Member has the right to provide input on behalf of their constituents.

Let me say to the authors on both sides that I am going to hold up the chemical bill until there is an opportunity for me to either amend it or to offer the Land and Water Conservation Fund and permanently extend it on another piece of legislation. It is plain and simple.

We can come and do these unanimous consent requests, we can feel good and go home and look and say: Here is what I did. I am on both sides of an issue. If that works, then do it.

I will be brave enough to tell everyone I am the guy holding it up. I am holding it up because I am an equal Member of the U.S. Senate. I am not scared to debate TSCA, and I am not scared to debate the Land and Water Conservation Fund because that is what this institution was created to do.

I sort of get the impression that we set this up to determine who is more committed to something. That is what the vote is for. It is not about the talk or the debate, it is the vote. If we can't get to the vote, it is difficult to determine who is for something and who is against it.

Let me say to my colleagues that the Land and Water Conservation Fund was set up over 50 years and receives

its funding off the royalties of the exploration on offshore oil and gas; 87.5 percent of it goes to the general revenue fund of the Federal Government and 12.5 percent goes to the Land and Water Conservation Fund.

The Land and Water Conservation Fund was never set up to handle maintenance at any State or Federal facilities. It was set up to allow individual treasures to be preserved by leveraging Federal dollars against private and State dollars to take in parcels, such as the Appalachian Trail, to take buffer pieces against things like the Blue Ridge Parkway, to protect a certain treasure in a State where the Land and Water Conservation Fund went in and matched with private dollars and then turned around and turned it over to the State for a State park. The benefit is if it is private land, there is no access, but when it is public land held by the State, fishermen and hunters can access it for recreational use and can now use that State park.

I am exactly where the Presiding Officer is. I don't want to increase the Federal footprint of what we own, whether it is land or buildings. I want to get out of the business of ownership. I only want to preserve those things that up to this point we have determined are valuable to future generations, and that is not by increasing the size of those Federal holdings, it is just about protecting those Federal holdings. And when we talk about protecting and providing for maintenance, let me suggest that it is a conversation we need to have with appropriators because they are getting 87.5 percent of the royalty split.

The Land and Water Conservation Fund, when we originally conceived it—I admit I was not here 50 years ago; I think JOHN McCAIN was the only person who might have been around—it was envisioned when that fund was created that when we take something from the land, we put something back. So when we take resources, we are going to protect something over here. It was also the direction of the legislation that \$900 million a year go into this Land and Water Conservation Fund. We have averaged over those 50 years somewhere in the neighborhood of about \$385 million a year.

The Presiding Officer stopped me one day and he said: What about the \$20 billion in the fund? There isn't any \$20 billion in the fund. Appropriators spent that every year. They get the royalty split 100 percent, 20 percent goes over into this fund, they appropriate X, and what is left over they spend, along with the other 87.5 percent.

Do we want to do maintenance in national parks? Appropriate it. The money is there, and it is not taxpayer money. We are collecting it off of royalties on expirations. And it is very important that we do that maintenance. It is also important that the National Park Service prioritize maintenance over every other thing that is funded when maintenance is eliminated. But I

think we have to understand it is not an either/or. We can be good stewards and invest in how we leverage Federal dollars with private dollars and also invest in the maintenance of existing facilities. If that wasn't the case, States would be up here crying for more money, more money, more money to maintain their parks. But they understand that is their responsibility and they budget for it.

As I sat here a little while ago, I thought this was more reminiscent of an episode of "Star Trek." I was waiting for somebody to say, "Beam me up, Scotty." This is crazy. I will agree with my good friend from New Mexico—maybe it does take leadership making a decision that we are going to do both of these, but the leader doesn't control things when we get the debt ceiling from the House. He doesn't control what legislation we have to do. Let's face it—we don't have to do either one of these. If we did, the Land and Water Conservation Fund after 50 years would not have expired.

I might say I came to the floor and I begged at the time that I would be satisfied if we just extended for 60 days the Land and Water Conservation Fund in TSCA. We could have debated it and voted on it with just one amendment. But some said: No, not a 60-day extension; we want it to expire. Well, it has expired, and the price to bring it back is permanent reauthorization. It is no longer 60 days or 90 days, it is permanent reauthorization. Why? Because this may be the best Federal program we have ever run. It is not funded with taxpayer money. It takes those royalty moneys and it leverages against State and private dollars to maximize the preservation for the next generation. Name another program that does that. Name another program that doesn't stick their hand in the taxpayers' pocket, that leverages it with private dollars to maximize the impact of it. This program does it day in and day out in all of the States in the United States.

I could argue today that I would love to see as part of the amendment that North Carolina gets a bigger share of that. But, as the Presiding Officer knows, with me, that is sort of left up to appropriators because they are the ones who decide where the money goes. I am not here to prosecute them, but I am here to say to my colleagues: Let's quit being foolish. Let's have an honest debate on two different bills or put them together. I have heard that we can't amend TSCA and put permanent reauthorization in because then it stands a chance of not passing in the House. Bull. I just say bull to that. Give the House a chance. There are just as many people over there who support the permanent reauthorization of the Land and Water Conservation Fund. They are not all captured in the U.S. Senate. Why? Because a majority of America is for permanent reauthorization of the Land and Water Conservation Fund. Why wouldn't they be?

It is their future. It is about their children and their grandchildren.

I will end with this. To all of my colleagues, this is not about us. No piece of legislation that we bring on this floor, we debate, and we vote on is about us. If it is, we are nothing better than a crisis management institution. This is about generations to come. This is about our children and our grandchildren. And when we look through that window at the issue, we understand the stewardship we assume. We assume stewardship in the way we spend taxpayers' money, we assume stewardship in the direction of this country, we assume stewardship in the impact we have globally around the world, and we assume stewardship when we talk about taking care of this footprint God gave us.

I remember the debate as we got ready to build a visitors' center outside. I remember the history lessons that the more senior Members gave me at the time when I said: It will cost a lot of money. We can build it on top of the ground for about half the cost as we can build it underneath the ground.

I was given the history of this building being the byproduct of a bill through Congress called the Residence Act in 1790. Congress appropriated 500,000 taxpayer dollars to build it. When the British came, the building wasn't finished, but they were nice enough to burn what we had built. Most of the exterior was saved. The interior needed to be totally redone. Congress ended up appropriating another chunk of change, and the original Capitol design was not completed until 1823. And by 1823, the footprint needed to increase because the size of the Senate and the House had grown; therefore, we needed more space.

I remind my colleagues that at the original time, we had housed in this building the House, the Senate, the Library of Congress, and the Supreme Court. And we started this wing—what we are in—in the Senate and the wing in the House. Outside they look identical; inside they are very different. But when they did that, they doubled the length of the Capitol, and they actually had to then take off the Bulfinch dome of wood and copper sitting on a sandstone base, and they built the dome we know today—cast iron, 9 million pounds, still suspended on that original sandstone and limestone base.

Since 1863, when the Statue of Freedom was lowered on top of this Capitol, it has looked exactly the same. I have said for 21 years that my responsibility is to make sure that 100 years from now and 200 years from now, it looks exactly like this on the outside. That was the compelling reason for spending twice as much money to put the Capitol Visitor Center underground where it didn't obstruct what is a historical footprint of America's history.

This building—walk around it. It is a museum of American history—to think that an Italian artist could depict

scenes in American history probably better than Americans, but he understood why this country was created, and that influenced his artwork throughout the Capitol.

Let me just suggest to my colleagues that maybe it is time for us to go back on a tour of the Capitol, to realize that our Founders came here not to accomplish anything for themselves but to make sure their children and their grandchildren had something better. And when we start looking at our jobs the same way they looked at creating this country and the same way they looked at preserving this building, then I will assure my colleagues we will settle issues like this in the way that the Senate functions and functions well, and that is in debate and in votes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. 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. UDALL. Mr. President, what just happened here, just so we can allow the American people to understand, was the really honest, sincere effort on two bills that have overwhelming support—the Land and Water Conservation Fund and the Frank Lautenberg 21st Century Chemical Safety Act—we wanted to get these on the floor so that we can have debate and have amendments. It is exactly what just happened in the last week and part of this week on the cyber security bill. We got a bill on the floor, there were amendments, we invoked cloture, and then we passed the bill at the end of the day. That is what we are trying to do.

Individual Senators don't have control of the floor. They do have the ability to come to the floor and ask to put bills on the floor, and that is what happened here. Senator MERKLEY showed up and asked to put the Land and Water Conservation Fund bill on the floor, with specific outlines, and it was objected to. I asked to put the Frank Lautenberg 21st Century Chemical Safety Act on the floor, and it was objected to. That is the only power we have. The leadership has the ability to control the floor, and that is why we are on the floor speaking about this.

So this was in no way a charade; this was an honest, sincere effort to try to do everything we can to make sure that everything is transparent here in terms of who is objecting, who doesn't want things to move forward, and who is for moving forward on two very popular bills.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Mr. LEAHY. Mr. President, I know there is a 10-minute limit; however, I do not see anyone else seeking the floor, so I ask unanimous consent to continue for 15 minutes.

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

#### SENATE CAREER

Mr. LEAHY. Mr. President, this is really a personal speech. I was very grateful for the indulgences of my fellow Senators who allowed me yesterday to make a few observations after I cast my 15,000th vote. I would like to elaborate a bit more.

I have never lost sight of what a great opportunity and responsibility the Senate affords this Senator from Vermont, day after day, to make things better for Vermonters and for all Americans, to strengthen our country and ensure its vitality on into the future, to forge solutions in the unending quest begun by the founders of this country to form a more perfect union.

Over the last 40 years, I have been blessed to be able to serve with some of the giants of the Senate: Mike Mansfield, Howard Baker, Robert Byrd, Walter Mondale, Hubert Humphrey, Bob Dole, George Mitchell, and my mentor when I came here, then-senior Senator from Vermont, Senator Bob Stafford. I would note that I became the only Democrat ever elected from my State. Senator Stafford was really "Mr. Republican" in Vermont. And I wondered what the relationship would be. He immediately took me under his arm and guided me and worked with me, and there wasn't a day that went by that we didn't consult and I didn't gain from his wisdom and experience.

There are so many others. Marcelle and I have made close friendships on both sides of the aisle, like Senator John Glenn and his wife Annie, who were Democrats, and Senator COCHRAN and Senator Lugar, Republicans. I had the privilege and have had the privilege to serve with more than 370 Senators in all from different walks of life and every corner of this Nation, these different backgrounds, different stories, and different life experiences, both parties. And this has made this institution the greatest deliberative body in the world.

I cast my first vote in this Chamber in 1975. It was a resolution to establish the Church Committee. The critical issues of the post-Watergate era parallel issues we face today.

I also had a front-row seat, a bit part in an historic effort, initiated by a Democrat—Senator Mondale of Minnesota—and a Republican—Senator Pearson of Kansas—to change the Sen-

ate's earlier cloture rule, which had been abused for decades in thwarting the will of clear majorities of the American people on such crucial issues as civil rights reforms.

That project might not sound difficult, but changing the way the Senate operates is something akin to trying to change the weather.

Late—actually very late one night—in a lengthy, difficult debate—and we sometimes went around the clock—Senator Mondale and Majority Leader Mansfield enlisted me, the most junior Senator, to play a role. They asked me to stay on the floor one night around 2 in the morning to take the gavel as the Presiding Officer. They expected that a lot of tight rulings were coming up. I felt so honored, but I did feel the honor drain away as Senator Mansfield explained, no, no, they just needed somebody big, 6-foot-3, 200 pounds, and who was still awake, to be the Chair for those rulings, in case tempers flared. Sometimes a Senator is no more than a conscious body in the right place at the right time.

But among those 15,000 votes I have been proud to cast on behalf of Vermonters, some were Vermont-oriented, some national, some global: the organic farm bill, the charter for what has become a thriving \$30 billion industry—I fought for years for that and got it through with bipartisan support; stronger regulations on mercury pollution and combating the effects of global warming; emergency relief for the devastation caused by Tropical Storm Irene. In that case, Senator GRASSLEY, who spoke on the floor yesterday—I recall the morning after that storm, flying around the devastated State of Vermont. The first call I got was from Senator GRASSLEY saying, "You Vermonters stood with us. We will stand with you." How much that meant, based on relationships that were built over the years.

We adopted price support programs for small dairy farmers. We fought for the privacy and civil liberties of all Americans. I remember supporting the Reagan-O'Neill deal to save Social Security—President Ronald Reagan and Democratic Speaker Tip O'Neill. We fought for nutrition bills to help Americans below the poverty line, joined by people like Bob Dole and George McGovern. Bipartisan—strongly bipartisan—campaign reform in McCain-Feingold. The bipartisan Leahy-Smith Act on patent reform was the first reform in 50 years. I worked with MIKE CRAPO from Idaho to reauthorize and greatly expand and strengthen the Violence Against Women Act.

I was proud to oppose the war in Iraq, a venture that cost so many lives and trillions of taxpayer dollars. Serving on the Armed Services Committee in April of 1975, I became the first and only Vermonter to cast a vote to end the war in Vietnam, and by a one-vote margin, we cut off authorization for the war.

Every significant legislative success I have had has been achieved through