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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Eternal God, help our lawmakers to remember today the great unseen cloud of witnesses who compass them about. May the memories of those who, in every age and generation, sacrificed for freedom inspire our Senators to do justly, love mercy, and walk humbly with You. Lord, give the Members of this body the integrity to walk worthily of those in whose unseen presence they live. As they labor on Capitol Hill, infuse them with courage in danger, steadfastness in trials, and perseverance in difficulties.

Remembering those who have gone before, help us all to dare more boldly, to venture on wider seas where storms will show Your mastery, where, losing sight of land, we will find Your stars.

We pray in Your faithful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 6, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

AGRICULTURE REFORM, FOOD, AND JOBS ACT—MOTION TO PROCEED—Resumed

Mr. REID. Madam President, I move to proceed to Calendar No. 415, S. 3240.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 415, S. 3240, a bill to reauthorize agriculture programs through 2017, and for other purposes.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, we are now on the motion to proceed to the farm bill.

I now ask unanimous consent that today at 4 p.m. the Senate proceed to executive session to consider Calendar No. 610; that there be 90 minutes for debate, which will be equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Madam President, following my remarks and those of my esteemed colleague, the first hour will be equally divided, with the Republicans controlling the first half and the majority controlling the final half. We hope to reach an agreement to begin consideration of the farm bill today.

Madam President, in a time when too many of the products we buy are made overseas, America can be satisfied that most of the food we eat is grown right here at home. The American agricultural industry boasted a $42 billion trade surplus last year—greater than any other sector in our economy. Our farmers are the most productive in the world, exporting $136 billion worth of their yield last year.

It is amazing how States produce agricultural products. The State of New York isn't considered by most people to be an agricultural State, but it is. The State of Michigan is not considered by most people to be an agricultural State, but it is. Even some of the States in the western part of the United States produce products that are exported. For example, in Nevada, alfalfa is exported. It is very high in protein. It is made into pellets, and it is a needed commodity overseas. So all over America the farm bill is important.

Our farmers are the most productive in the world, exporting $136 billion worth of their yield last year. At a time of economic uncertainty, America's agricultural industry supports 16 million much needed jobs. So Congress must give farmers the certainty they need to keep this industry thriving.

I commend Senators STABENOW and ROBERTS, the managers of this bill, for crafting a strong bipartisan bill. This

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

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measure will create jobs and cut subsidies. It includes important reforms that make farm and food stamp programs more accountable and more defensible.

With more farmers seeking global markets for their product more than ever before, this bill supports rural farm jobs as well as urban manufacturing jobs. It will help new farmers—especially those who served their country in the Armed Forces—to build successful businesses. This legislation helps local farmers sell their products where they grow them—connecting farms, schools, and communities. And it saves $23 billion, which we will use to reduce this deficit we have.

I know there are a number of Democratic and Republican Senators who wish to offer amendments to this legislation. I have confidence in the leadership of Senators STABENOW and ROBERTS and look forward to working quickly and cooperatively to pass the bill that creates jobs, cuts subsidies, and reduces the deficit, while protecting American farmers.

CAPITOL POLICE CHIEF PHILLIP MORSE

Madam President, every day the dedicated officers of the U.S. Capitol Police keep members of Congress, our staffs, and millions of visitors from around the world who visit the Capitol grounds each year safe. For the last 6 years, this department has been led and run by Chief of Police Phillip Morse. He spent more than half of his life on the Capitol Police Force, and I think it is time for a little down time. Today Chief Morse retires after 28 years serving and protecting the U.S. Capitol. I thank him for his service and congratulate him on a job well done.

RECOGNITION OF THE MINORITY LEADER

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

68TH ANNIVERSARY OF D-DAY AND HONOR FLIGHT

Mr. MCCONNELL. Madam President, today, on the 68th anniversary of D-day, I am honored to recognize a distinguished group of World War II veterans from my State of Kentucky who have come to the Nation's Capital to visit the World War II Memorial on the Mall that they helped to inspire.

Thanks to the noble work of the Honor Flight Program and the leaders of the Bluegrass Chapter, including Brian Duffy, these brave patriots, along with their brothers-in-arms from the Korean war, will see the national memorials built in their honor today. Over the years, the Honor Flight Bluegrass Chapter has brought some 1,100 veterans—most from Kentucky—to Washington, DC, for this purpose. This program provides transportation, lodging, and food for the veterans. Without Honor Flight, most of these veterans would never be able to visit the Capital or see the World War II Memorial.

I have been privileged to visit with groups of Honor Flight veterans before, and I am pleased to report that I will be meeting with today's group at their memorial as well. My father served in World War II, and it is an honor to shake hands with his contemporaries, hear their stories, and thank them for their service.

America is forever indebted to the heroic members of the U.S. military who defended this great Nation and fought for freedom and against tyranny in World War II. They have truly earned the title of ''the greatest generation.''

I also thank the Honor Flight Program and Brian Duffy for their continued commitment to bring Kentucky's World War II and Korean veterans to see their memorials. Brian and the Bluegrass Chapter do what they do because they have great admiration and respect for our military veterans. I know my colleagues join me in saying that this Senate shares that admiration and respect, be it for members of ''the greatest generation'' or for the current generation of brave volunteers who have served in Afghanistan and/or Iraq or are serving today elsewhere across the world.

I wish to recognize each and every World War II and Korean war veteran from Kentucky who is visiting the memorial in our Nation's Capital today, and I ask unanimous consent that their names be printed in the RECORD.

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

LIST OF WORLD WAR II AND KOREAN WAR VETERANS BROUGHT BY HONOR FLIGHT TO VISIT THE NATIONAL MEMORIALS ON JUNE 6, 2012—THE 68TH ANNIVERSARY OF D DAY

Sam Adams; Louisville, KY
Clifford Barker; Morehead, KY
David Braun; Jamestown, KY
Harry Hughes Bush; Richmond, KY
Edgar Lewis Casada; Highland, IN
Herman Combs; Bronston, KY
Franklin Delano Coovert; Lexington, KY
Thomas Alton Curtsinger; Owensboro, KY
Guy Moorman Deane Jr.; Owensboro, KY
Earl E. Fort, Owensboro, KY
Wilburn Gerald Fort; Owensboro, KY
Sheldon Woodrow Franks; Corydon, IN
Alfred Stephen Freyling; Evansville, IN
Ira Wilson Guffey; Owensboro, KY
John Patrick Lawler; Louisville, KY
Robert A. Lawton; Central City, KY
Chester D. Miller; Owensboro, KY
Alberton Peace; Magnolia, KY
Kenneth Leonard Pearl; New Albany, IN
Wilmer Leroy Peck; Franklin, KY
Walter John Points; Falmouth, KY
Kenneth Lee Reynolds; Owensboro, KY
George Thomas Snyder; Owensboro, KY
William Daniel Stephens; Newburgh, IN
Murrel Ray Trapp; Seymour, IN
John Harold Tucker; Evansville, IN
John Hugh Vaughn; Glasgow, KY
James Clarence Vaught; Evansville, IN
Merton Lee Weisert; Louisville, KY

(The remarks of Mr. MCCONNELL pertaining to the submission of S. Res. 482 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. MCCONNELL. I yield the floor.

RESERVATION OF LEADER TIME

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore.

Under the previous order, the following hour will be equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

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

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

The bill clerk proceeded to call the roll.

Mr. THUNE. Madam 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.

Mr. THUNE. Madam President, I ask to speak as in morning business.

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

SEQUESTRATION TRANSPARENCY ACT

Mr. THUNE. Madam President, I come to the floor today to talk about the significant uncertainty surrounding sequestration and its threat to our economy. The Congressional Budget Office forecasted that the pending fiscal cliff facing this country; that is, the scheduled tax increases and across-the-board spending cuts that will result from the expiration of current tax policy and the enactment of sequestration, could lead to recession. In fact, the Congressional Budget Office said repeatedly that if the tax increases and sequestration occur at the end of this year, there will be a 1.3-percent economic contraction during the first quarter of 2013. I believe that would argue for extending the existing tax rates. I think the uncertainty associated with the tax rates perhaps expiring at the end of the year and businesses not knowing what is going to happen is creating a real problem and a real cloud out there in the economy.

I believe it is important that there be economic certainty for people in this country, particularly for investors and small businesses. So it seems to me, at least, that getting those tax rates extended would be a very important part of the solution.

Having said that, I also believe we need tax reform for this country. We need comprehensive tax reform that will fuel economic growth. I think there is enormous potential for economic growth and job creation if, in fact, we could get to overhauling our Tax Code in this country, making it more simple, more fair, more clear, and obviously lowering the rates and broadening the tax base. But until that happens, we need certainty, which means we need to get the existing tax rates extended. I hope we can do that sooner rather than later because I think the longer we wait, the greater we put at risk our economy and what could happen if we don't act.

So that is one component of the fiscal cliff. Obviously, there are other components.

Under the Budget Control Act, the spending authority of most Federal departments and agencies is going to be reduced on January 2, 2013, as a result of the sequestration. Now, the triggered reduction in spending is $1.2 trillion. After accounting for 18 percent in debt service savings, the required reductions amount to $984 billion to be distributed evenly over 9 years—in other words, $109.3 billion per year. So if we look at it year by year, that is $54.7 billion in reductions that will be necessary in both the defense and nondefense categories of the budget starting on January 2, 2013. It is expected that those cuts will range between 7 and 9 percent, but we believe the administration needs a plan for implementing sequestration, after a number of conflicting statements about how and if it will be carried out.

As one example of the conflicting statements coming out of the Obama administration, Defense Secretary Leon Panetta sent a letter to Senator MCCAIN last November saying that the sequestration would not impact war funding. In April the OMB Controller testified before the House Budget Committee that the issue of whether war funding would be reduced by the sequester was still being evaluated. Just last week another official from the Office of Management and Budget said that war funding would, in fact, be impacted by the sequester.

It has been almost a full year since the Budget Control Act was passed, and Congress needs a precise understanding from this administration as to the full effects of sequestration on all programs and accounts across the Federal Government, including national security funding. That is why I have introduced a bill, along with Budget Committee ranking member JEFF SESSIONS, that would require the administration to bring some much needed transparency to the scheduled across-the-board spending cuts. Our legislation, S. 3228, the Sequestration Transparency Act, would require the administration to submit to Congress a detailed preview of the sequestration required by the Budget Control Act. Specifically, this bill would require the President to submit a report to Congress by July 9—next month—of 2012 that includes an estimate of the sequestration percentages and amounts necessary to achieve the required reduction for each spending category on an account level. The administration's report would also be required to include any other data and explanations that enhance the public's understanding of a sequester and actions to be taken under it.

This report will assist Congress in its yearend legislative business, including fiscal year 2013 appropriations and addressing the deep and unbalanced defense budget cuts that are expected under sequestration, which are in addition—in addition—to the $487 billion in reductions that were carried out last August.

Of course, we would not be in this situation had the Senate passed a serious budget over the last 3 years that addressed tax and entitlement reform. The Senate's failure to produce a budget year after year has left us with the Budget Control Act. Now the Budget Control Act is the law of the land.

While I am certainly disappointed that the President and the Joint Select Committee on Deficit Reduction failed to reach an agreement to bring down our deficits in the long term, the cuts to national defense that are scheduled to go into effect are particularly troubling. The President's own Defense Secretary warned that the sequester would ''hollow out the force and inflict serious damage to our national defense.'' That is from the President's own Defense Secretary. Yet, after repeated requests from both the House and the Senate, the administration has refused to provide even the most basic details about the cuts required by the sequester.

There is a great deal of uncertainty regarding sequestration and the tax increases that would occur the first of next year. At a time when our economy continues to grow at a very sluggish pace and unemployment remains above 8 percent, the last thing we need coming out of Washington is more uncertainty. Job creators are concerned about the pending fiscal cliff, and if Congress does not act before the election to deal with these issues, the economy will suffer from this uncertainty in the coming months.

The legislation I have introduced, along with Senator SESSIONS, requires the administration to share with Congress and with the American people their plan for exactly how the sequestration will be carried out. This is straightforward legislation. It is about transparency, and it is something where I hope my colleagues on both sides of the aisle will work to ensure that these numbers—this sequestration plan—are shared with the Congress and with the American people.

We have, as everybody knows, a big pileup occurring at the end of the year with sequestration. The pileup includes tax rate increases which will occur on marginal income tax rates, capital gains rates, dividend rates, the death taxes, the debt limit increase. All of these things happen at a time that will create incredible amounts of uncertainty in our economy. The best we can do for the American people, for our job creators, for investors, and for our small businesses is to provide as much certainty as is possible going into the end of this year. It seems to me, at least, that starts with ensuring that we have a plan coming out of the administration that specifically clarifies how this sequestration would be implemented so that Congress can react accordingly, hopefully before the end of the year and hopefully sometime in the next few months, perhaps as a part of our appropriations process this year.

With regard to the tax increases, I would make the same argument that former President Bill Clinton has been making, which is that we need to extend these tax rates. We create too much economic uncertainty out there by having this cloud on the horizon, which I think is a real warning sign to us, and it is a reminder that we get on a regular basis—frankly, for the most part, on a daily basis—when we talk to small businesses in our home States about the importance of addressing the tax, the regulatory, the spending, and debt issues before the end of the year when this big pileup would occur.

So I would argue for and plead with my colleagues to work together on the sequestration issue to ensure that it doesn't have the devastating impacts on our national security budget and that, combined with the tax increases, it doesn't have the devastating impact on our economy that is being predicted by the Congressional Budget Office. They have pointed out that if these things all happen at the end of the year, it could cost us 1.3 percent of economic growth, which, according to the President's own economic advisers, means about 1.3 million jobs for American workers. We already have chronic high unemployment now—40 consecutive months of unemployment above 8 percent. We have a sluggish, anemic economy. We shouldn't pile on top of that all this uncertainty with regard to taxes, with regard to regulations, with regard to what is going to happen regarding sequestration at the end of the year.

Again, this bill simply does not address in substance how we would change that, but it merely requests and requires the administration to provide to the Congress and the American people a clear plan about how they intend to implement sequestration in hopes that we might be able to make some necessary changes to ensure that the defense budget isn't gutted and that these adverse impacts on the economy are not felt by the American people and by our small businesses. I hope my colleagues will support this legislation and that we can get a vote on it very soon; that we can get the administration acting in a way that will inform not only us as Members of Congress but also the American public.

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

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

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Madam 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.

A SECOND OPINION

Mr. BARRASSO. Madam President, yesterday, Vice President BIDEN and other Obama administration officials hosted presidents and leaders from colleges and universities at the White House. Officials promoted this event as an opportunity, they said, to highlight the transparency of college costs. They

said these schools were committed to providing key financial information to all of their incoming students starting next year.

Well, once again, transparency took a back seat to politics. In fact, the White House failed—failed—to level with college students about important financial information, including how the President's health care law is going to make it harder for many students in terms of their ability to get health insurance through their universities.

Earlier this week, the real story came out, and I will tell you it is discouraging. I continue to come to the floor week after week with a doctor's second opinion about the health care law because I think the health care law is bad for patients, it is bad for providers—the nurses and the doctors who take care of those patients—it is terrible for our taxpayers. I do not think I realized at the time I started doing these second opinions that it was going to be terrible for students going to college.

Take a look at these unintended consequences that have come out of this health care law. But I will tell you, on Monday, national news reports showed that the coverage requirements in the President's health care law—the mandated requirements in the health care law of a certain level of government-approved coverage—well, it is causing colleges all across the country to drop insurance coverage for their students. I would like to explain exactly how this works.

As Members of this body who voted for this on the other side of the aisle will recall, the health care law eliminates annual and lifetime benefits for insurance plans. Many colleges offer their students an opportunity for limited benefit policies to give students access to affordable health insurance coverage that actually is something that a college student might need, might benefit from, may be helped with.

These are the same benefit plans that have been popular with many unions across the country. The plans were so popular that the administration issued over 1,700 waivers which impacted over 4 million Americans. These Washington waivers ensured that people who got their insurance through certain corporations and unions would not lose the coverage they had in the lead-up to the full implementation of the health care law.

Well, over half of these waivers were granted to individuals who received their insurance through their unions so these individuals would not lose their coverage during the time when the unions were saying: This health care law is too expensive for us. We don't want to live under these mandates. We can't afford it.

Well, the colleges are finding the same situation. But unlike the unions, the colleges are not eligible to apply for these special administration waivers from the health care law. So students across the country are suffering the consequences.

This year, because of the President's health care law, these students are not going to be able to purchase or afford coverage through their schools. Schools are faced with two options: One is raise premiums dramatically, drastically, or just don't offer the health insurance programs students like, parents like, and the universities like to provide. The President of the United States and the Democrats who voted for this health care law essentially have said: Too bad.

So let's give an example from New York State. The State University of New York in Plattsburgh offered students coverage in the past for $440 per year. Next year policies will cost anywhere between $1,300 and $1,600 per student per year. That is an increase of four times, 400 percent. Why? Because the students are going to end up paying for a lot of insurance they do not need, they do not want, and they possibly cannot afford. But yet the President mandates they get this high level of insurance coverage even though it is something the people at the university think their students do not need. The universities do not have a choice. The President makes those decisions, not the president of the university but the President of the United States.

The University of Puget Sound in Washington was able to offer its students insurance last year for $165—insurance they believed was helpful to the students. Next year, to comply with the President's health care law—the mandated high levels of coverage—they estimate a policy will now cost between $1,500 and $2,000.

Since the Obama administration's mandates were so expensive, what is the University of Puget Sound going to do? Well, they announced they will not be offering any insurance coverage to any students next year—a decision made by the university.

It is clear the President's health care law leaves many students with two bad choices: They can either be forced to pay vastly increased premiums or basically lose access to coverage altogether. This new development flies completely in the face of the President's promise. The President said: If you like what you have, you can keep it. But let's specifically go to the President's exact promise:

> No matter how we reform health care—

The President of the United States said—

> we will keep this promise: If you like your doctor, you will be able to keep your doctor. Period.

He went on to say:

> If you like your health care plan, you will be able to keep your health care plan. Period.

He then said:

> No one will take it away. No matter what.

He said:

> My view is that health care reform should be guided by a simple principle: fix what's broken and build on what works.

Here we are, over 2 years later, and we continue to witness the Obama administration breaking this very specific promise. Now we can add college students to the long list of people who found out the reality does not match President Obama's rhetoric. At a time when students across the Nation face increasing tuition costs and a bleak job market, now they have to deal with losing their health insurance.

Each day it becomes more obvious that the Obama economy, which includes the President's health care law, has made life worse for millions of Americans. It cannot continue. If the Supreme Court does not completely repeal this health care law, Congress needs to do it. Republicans are committed to repealing this law and replacing it with step-by-step reforms. We will continue to help Americans of all ages work to get the care they want from a doctor they choose at a lower cost.

Madam President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. DURBIN. Madam 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.

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

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

STUDENT LOANS

Mr. DURBIN. I just left a meeting a few feet away from here with the leaders of some of the American colleges and universities. They came to brief us on a challenge we face across America that we had better be aware of. It is the growing student loan debt.

Just in October 1 year ago, student loan debt in America surpassed credit card debt. It is now $1 trillion. More and more students are going more deeply into debt, which many of them can never repay. Student loan debt is different than other debt. It is different because one cannot discharge it in bankruptcy, which means it is a debt they will carry for a lifetime.

Imagine someone who is 19, 20 years old, that they have been told as long as they have been on this Earth education is the key to the future, and they are sitting across the table from a financial counselor who says they have been accepted at this college. All they need to do is sign up right here for a loan.

What is the natural instinct? Of course, it is to sign on the dotted line: I am doing what I was told to do; I am going to the best school I can get into; I am going to borrow the money and make it happen and my life will be successful and I will pay the money back.

The formula is right, but there are problems. If they drop out of school,

they end up with no diploma, just debt. If they go to a bad school, they end up with a worthless diploma and debt. If they end up, unfortunately, in some aspects of life, occupations and professions, it may take decades to pay off a debt. The average student loan debt is about $25,000 once someone has completed 4 years of education.

We have asked students across Illinois and across the Nation to tell us their stories and the student loan debts go as high as $100,000 and more for 4 years of education. Many of these students are finding themselves in an impossible predicament, where they literally cannot get on with their lives, cannot find a job and, unfortunately, are still stuck with the debt.

They are lucky, incidentally, if they are dealing with a Federal student loan guaranteed debt, so-called Stafford loans, because that is 3.4 percent interest. There are ways they can have that debt forgiven and consolidated. It is a flexible type of debt guaranteed by the Federal Government.

But if they step over that line of Federal Government debt and get into a private student loan, hang on tight. The interest rates go from 3.4 percent to the heavens, 18-percent credit card rate debts. Interest rates are not uncommon when it comes to these private loans. Students find themselves being swallowed by debt they cannot repay that is unfortunately compounded and just goes from bad to worse, to even worse.

Students I have run into thought they were doing the right thing. They went to some of these worthless for-profit schools. They can hardly avoid them. If one gets on the Internet and punches in the search engine for ''college'' or ''universities,'' hang on tight. They are about to be inundated with ads from for-profit schools that tell just how easy it is to get a college diploma. All you have to do is sign up. They used to run an ad here on one of the television stations in Washington. It showed a pretty young girl and she was lounging on her bed with her laptop computer and she said: I am going to college in my pajamas. That kind of come-on—to suggest you can get a worthy college diploma through a for-profit school—unfortunately lures many of these kids into a mountain of debt and worthless diplomas from this for-profit industry—the most heavily subsidized private business in America.

Ninety percent of the money that for-profit schools have in revenue comes right from the Federal Government. Heck, they ought to have their employees join a Federal employees union for that matter because 90 percent of their revenue comes right out of the Federal Treasury. Students end up with the debt and a worthless diploma.

Last week, the quarterly report on household debt of the Federal Reserve Bank of New York found that student loan debt hit $904 billion in the first quarter of 2012, up from $241 billion just 10 years ago. That is a 275-percent increase since the same period in 2003. The Consumer Financial Protection Bureau—which many people on the other side of the aisle would like to put out of business—the only leading consumer protection bureau in the Federal Government, estimates that outstanding student loan debt may be even higher, up to $1 trillion.

Students continue to pile on the debt, even as America—most Americans—cut back on other forms of credit, such as mortgage and credit cards. According to a senior economist at the New York Federal Reserve Bank:

> It remains the only form of consumer debt to substantially increase since the peak of household debt in 2008.

The hole just gets deeper for students and the families borrowing money for higher education. Students are graduating with massive amounts of debt and having a very difficult time paying it back. Delinquency rates for student loans are higher than rates for mortgages or automobile loans.

Every week, I hear from students drowning in debt, and I don't mean just recent graduates. Some of the borrowers are in their thirties and forties, even older, and still paying off student loans or paying off private student loans they cosigned for their children or grandchildren. Student loan debt has serious consequences for families and for our economy. In a recent survey of college graduates by Rutgers University, 40 percent of the participants said they delayed making a major purchase, such as a home or car, because of student debt. More than one-quarter of those surveyed put off continuing their education or had moved in with relatives to save money to pay their student loans.

Private student loans don't come with the same consumer protections and payment plans Federal loans offer. Senator TOM HARKIN of Iowa, chairman of our Senate education committee, introduced a bill with me to help families understand the difference between the Federal student loan and private student loans. We call it the Know Before You Owe Private Student Loan Act. It would require private student loan lenders to confirm the potential borrower's enrollment status and cost of attendance. The bill would also require institutions to counsel students about the difference between Federal and private student loans. Many students just don't know the difference.

The come-on is, listen, we have only one sheet of paper you have to fill out and you will get a private loan or do you want to go through five sheets of paper over here for the Federal Government? This is easier. Easier, yes, but a debt that is going to be much more serious for you in years to come.

Last week, the attorneys general from 22 States wrote to Members of the House and Senate asking that Congress fix the so-called 90 10 loophole. The 90 10 rule, as it is currently written, requires for-profit colleges to receive at least 10 percent of their revenue from something other than the Federal Government—10 percent. But current law considers Federal sources only those funds from the Department of Education's title IV Federal financial aid programs, which includes Pell grants and federally guaranteed student loans. Other Federal subsidies for students, such as GI bill funds and the Department of Defense tuition assistance, aren't counted.

The attorneys general across America once again are ahead of Congress. They recognize that including GI bill and DOD funds will eliminate the powerful incentive the for-profit colleges have to recruit veterans and Active military in order to comply with the 90 10 rule.

Holly Petraeus is the wife of General Petraeus. Her husband is a true American hero. She has stood by his side through all his military assignments, dearly loves the military and their families. She works for the Consumer Financial Protection Bureau. Her specialty is to find those rip-off institutions that are going after veterans to try to soak up their GI bill benefits for a worthless education.

How did we reach this point? Why are we, at this moment in time, where we are—facing this student loan debt bomb. Years ago, with widespread reports of waste, fraud, and abuse in the for-profit college sector, Congress created the 85 15 rule to weed out fraudulent fly-by-night schools that relied almost entirely on taxpayer dollars. The 85 15 rule said a school could take in no more than 85 percent of its revenue from the Federal Government. The other 15 had to come from other sources. It worked, and many of the worst schools, fortunately, closed.

In 1998, the rule was loosened to 90 10—90 percent Federal subsidy. Now we see we need to return to the original intent of the law and crack down on these for-profit schools that are taking advantage of veterans, servicemembers, and students across the board.

In January, Senator HARKIN and I introduced the Protect Our Students and Taxpayers Act—the POST Act—that will make several changes to the 90 10 rule. To better protect the students and our taxpayer dollars, the POST Act would reinstate the original 85 15 ratio, and the bill would change the definition of what is considered Federal revenue.

This may sound like bureaucratic gobbledygook, but let's get to the bottom line. If an institution needs to rely on the Federal Treasury for 90 percent of their revenue to exist as a school, there is a serious question about whether they are a real school. If the students make no contribution—or only 10 percent toward their education—then, frankly, what they are doing is just milking the Federal Treasury to keep the lights on at their school. I might add, these for-profit schools are highly profitable. Some of the biggest investment counselors and

managers in America invest in these schools because they are money machines. They bring their money directly from the Federal Government, with no guarantee that students will end up with an education.

The numbers I return to time and again tell the story. Ten percent of students finishing high school—10 percent—end up in for-profit schools—10 percent. Yet these for-profit schools eat up to 25 percent of all Federal aid to education. They are sucking in the Pell grants and the Stafford loans and then—hang on—they have a student loan default rate almost twice the level of other colleges and universities. What does that tell us? They have come up with an economic model which reaches deep in the Treasury to bring in money to keep the lights on and to pay their CEOs very generous salaries. They are also, of course, loaning money to students, and those students are defaulting, unable to repay their student loans at twice the rate of other colleges and universities.

You might say to yourself: Well, Senator, if that is the case, why don't you do something about it? The problem is the for-profit school industry in America is one of the most politically wired industries in this country. They have friends in high places, and it is very difficult to get reform legislation through the House or the Senate when they are so politically connected. Yet Senator HARKIN and I believe it is worth the effort, and we are going to ask our colleagues to join us in that effort.

What is worse is that students are aggressively recruited to attend these colleges, lured into taking out massive amounts of debt and may not even graduate. Think about that. A study published earlier this year by the Education Sector shows that the borrowers who drop out are more than four times more likely than those who graduate to default on their college loans because they are more likely to be unemployed and earn less when they do get a job. The dropout rates rose across all kinds of colleges, but the biggest increases were found in the for-profit 4-year institutions, where a staggering 54 percent of those who had borrowed to pursue a bachelor's degree dropped out of school—more than half. The study showed 16.8 percent of dropouts defaulted on their loans compared with 3.7 percent of those who graduated.

What difference does it make to these for-profit universities? They got their money.

Alexander Brooks recently contacted my office about his student debt. Alexander is from Normal, IL, and graduated in 2006 with a degree in computer networking from ITT, a for-profit institution. Alex never got a job in his field. He drives a schoolbus to pay his rent, even though he has this so-called degree in computer networking. He said he would like to get married to his long-time girlfriend, but he doesn't want to have her share in the burden of his student loan debt.

When asked about the quality of education he received from ITT—what we will hear being advertised on the television every time we turn it on—here is what he said:

> ITT fell short of preparing me for what happens after graduation. Although the school provided me with a degree, the program did not provide any of the necessary certifications needed to get a job in the computer field.

Alex would like to go back to school, but he can't borrow any more money. When he graduated 6 years ago from ITT, a for-profit school, his total loan balance was $40,000. That was when he graduated. Six years later, his balance is $50,000. Six years of payments, falling further and further behind. His private student loans have interest rates up to 9.25 percent, almost double the Federal student loan rate.

Alex isn't alone. Many of his fellow students from ITT have the same trouble repaying their loan. ITT's 3-year cohort default rate is over 29 percent. That means that within 3 years of entering repayment status, almost one-third of students have already defaulted. In 2009, ITT received 85.8 percent of all its revenue—this for-profit school—from the Federal student aid programs. It was the third largest recipient of GI bill funds, receiving $99 million in the school year 2010 2011. If GI bill funds and other Federal aid were counted, ITT would likely be at or close to receiving 100 percent of its revenue from the Federal Government—totally federally subsidized.

Federal student aid money is just about all that keeps this institution alive, running, generating profits, and paying handsome salaries to those who own it. What do the taxpayers get in return for this investment? More Americans with student loan debt they will never be able to pay off. That is not a good deal for taxpayers or students.

High student loan debt is not limited to for-profit college students. Students at private nonprofit institutions graduate with an average of about $26,000 in debt. Students who graduate from public institutions graduated with an average debt of $15,600.

What I say back home in Illinois I hope some will listen to carefully. Education is critical for a student or person to succeed. I encourage people to pursue it but go to the low-cost alternative if they haven't made up their mind or don't have a clear goal in front of them that is reasonable. Go to their community college. Start there. Learn to what it means to go to college. They can do it at an affordable cost in their neighborhood, in their town, and then progress from the community college level to the right place for them. The students who sign up for these worthless for-profit schools or sign up for a heavy load of debt may find themselves in a terrible situation, and it is impossible for them to pursue a higher education.

We have to do something to control the cost of postsecondary education, ease the burden of student debt, and crack down on the aggressive recruiting practices used by these for-profit colleges by closing the 90 10 loophole. Congress should start by coming to an agreement on the student loan interest rate hike that will prevent the interest rates on subsidized Federal student loans from doubling.

Let me close with this because I see my colleague from Rhode Island is here. On July 1, the interest rate on Federal loans—Stafford loans—will double from 3.4 percent to 6.8 percent. For a student borrowing $20,000 over the course of a 4-year education, it means at 6.8 percent as opposed to 3.4 they will be paying back $24,000 instead of $20,000. Why do we want to dig this hole any deeper for students across America?

We have put together an alternative on the floor to keep the interest rate low. Unfortunately, the other side has objected. I hope we can work out a reasonable bipartisan way to keep interest rates on student loans at a lower level. We owe it to these families and to these students.

I yield the floor.

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

Mr. WHITEHOUSE. Madam President, let me first thank the distinguished Senator from Illinois for his determined efforts, as well as my senior colleague in this body, Senator JACK REED, for his determined efforts in trying to get to a resolution that will prevent the student loan interest rates from doubling.

THE HIGHWAY BILL

I am here to speak about another problem—something very important to ordinary Americans that is also being jammed up as a result of obstruction and intransigence—and that is the highway bill.

We had a March 31 deadline, the House and the Senate, to get a highway bill done. The Senate did its job; we got a highway bill done by March 31. The House did not do its job; they failed to get a highway bill done.

Let me point out that we have been doing highway bills in Congress back since the Eisenhower administration, and this is not rocket science. So it is telling that the body at the other end of this building could not get a highway and bridge bill done by the March 31 deadline. So what did they do? They extended it and took us to conference on the Senate bill.

Now, let's say a word about the Senate bill. The Senate bill is very hard to criticize. People sometimes criticize bills around here because they get jammed through; there isn't enough time; there aren't enough amendments; it is not bipartisan. None of those criticisms apply to the Senate bill.

The Senate highway bill came out of my Environment and Public Works Committee—thanks to the leadership of Chairman BOXER and Ranking Member INHOFE with the unanimous support of every Republican and every Democrat. It came to the floor. We had a

wide-open process here on the floor. I think nearly 40 amendments were accepted either in floor votes or by agreement. Everybody had their chance, everybody had their day, and the net result was that the bill cleared out of the Senate with 75 Senators on record supporting it. That is a pretty impressive majority around here.

So we have a 75-to-22 Senate bill that has the support of the chamber of commerce, the Association of Manufacturers, and it has the support of labor unions and the environmental community. There is really nothing to criticize about it either substantively or in terms of the process by which it was adopted, and yet our colleagues on the House side won't accept the bipartisan Senate bill. They have it bottled up in this conference. And the reason that I am on the floor today is that we are being told now that the House is going to ask for another extension past the end of June to continue to dawdle and stall the bipartisan highway bill. What is the effect of that? What is the effect of dawdling and stalling the bipartisan Senate highway bill? The effect is loss of jobs.

The Presiding Officer is from New York, I am from Rhode Island, and the distinguished Senator from Utah is here on the floor. All of us have a common situation in our State, which is winter. In winter, it is really hard to build and repair highways and bridges.

There is a summer construction season, and as we dawdle and delay and as the House jams up the bipartisan Senate highway bill, that summer season gets whittled away. We are now to the point where my director of transportation in Rhode Island, Mike Lewis, says that he had 97 jobs on his roster to be done in this summer construction season, and if we can't get this done earlier than when we anticipate doing it now, at the end of this month, at the end of June, 40 of those projects will drop off the roster and all of the jobs associated with them will be lost.

Rhode Island is a small State. Those numbers are going to echo eastward and northward across the country in job losses this summer because of the delay of a bipartisan Senate highway bill by the House. These are real jobs.

It is not just me making this observation and it is not just the Rhode Island director of transportation. Standard & Poor's Global Credit Portal RatingsDirect service has put out a publication: ''Increasingly Unpredictable Federal Funding Could Stall U.S. Transportation Infrastructure Projects.'' They say the following:

> With the March 31st expiration looming, Congress passed on March 29th yet another extension to fund U.S. highway programs. This latest continuing resolution, the ninth, provides funding through June 30, 2012. As construction season begins in the northern half of the country, this continuing uncertainty in funding could force states to delay projects rather than risk funding changes or political gridlock come July.

That is exactly what we are seeing.

They said:

> In addition, the political gridlock in Washington, D.C., and the doubt surrounding federal funding are making it difficult for issuers throughout the infrastructure sector to define long-term plans for funding necessary capital projects.

If we get this turned around, then what happens? Well, according to Standard & Poor's, ''Once a long-term authorization is approved, we believe it will provide an impetus for transportation agencies to reconsider high-priority projects that had been shelved because of lack of funding.'' So we can put people to work in this country. We can put people to work in this country on roads and bridges and highways—something every American understands. We can do it under a bipartisan Senate bill that has the support of everybody, from the business community, to the labor community, to the environmental community, to, perhaps obviously, the highway construction community. But the House of Representatives, which couldn't pass a highway bill, is jamming us in this endless conference. I don't know if it is their intention to knock out these jobs in this preelection period. I don't know if they just can't get their house in order over there to do the basic legwork of passing a highway bill. But as we approach the end of this month, as we approach this second deadline—which it looks like they are going to miss again—I will urge my colleagues, let's hold their feet to the fire. There is no excuse for not passing the bipartisan Senate highway bill that is widely supported and that will create or defend nearly 3 million jobs in this country—2.9 million, to use the exact number that has been identified with this bill.

So I think it is very important that we stick to our guns on this one. In Rhode Island, we have projects such as Highway 95, where it comes through the city of Providence, it comes through as a bridge. It is a raised highway. If you go underneath that bridge to, say, drive into the back entrance of the Providence Place Mall or to look where the highway goes over the Amtrak rails that connect the Northeast Corridor, what do you see? You see wooden planks that have been laid between the I-beams so that the highway falling in doesn't land on cars underneath, doesn't land on Amtrak trains or train tracks underneath. This is a project that needs to be rebuilt. It needs to be rebuilt now. It is connected to where State Routes 6 and 10 come in and connect to 95. If you go under State Route 6 and State Route 10—as Senator REED and I did recently with the mayor of Providence and with the transportation director—you see that those highways are propped up by wooden supports. You see that pieces of the metal infrastructure have crumbled and fallen off onto the ground. This is highway work that needs to be done. These are not bridges to nowhere.

Every American driving across our bumpy roads knows we have work to do, and I call on my colleagues in the House to quit dawdling, to let this conference go. If they don't have an answer, if they can't pass a highway bill, if they can't do the basic legwork of governance to do something as simple as a highway bill, then get out of the way. At least get out of the way and let the bipartisan, widely supported Senate highway bill go.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

EXTENDING TAX RELIEF

Mr. HATCH. Madam President, the bad news keeps coming. Europe is in dire straits, with the debt-riddled economies of Greece and now Spain threatening the future of the continent's economic union. There is real concern that this debt-fueled contagion in Europe will undermine our economy as well, and our economy cannot take too many more hits.

The unemployment rate went back up to 8.2 percent last month. Only 69,000 net new payroll jobs were created. That is barely keeping up with population growth and is hardly the type of robust job growth that will be the foundation of a lasting and meaningful economic recovery. Now, we should have seen this coming. The minutes of the Federal Reserve's most recent monetary policymaking meeting make numerous mention of uncertainties surrounding fiscal policy and that those uncertainties are a risk to the economic outlook.

Fed policymakers noted that ''they generally saw the U.S. fiscal situation also as a risk to the economic outlook; if agreement is not reached on a plan for the federal budget, a sharp fiscal tightening could occur at the start of 2013.'' They concluded that ''uncertainty about the trajectory of future fiscal policy could lead businesses to defer hiring and investing'' and ''uncertainty about the fiscal environment could hold back both household spending on durable goods and business capital expenditures.''

Yesterday the Congressional Budget Office reminded us yet again what the consequences will be to our economy if we fail to get our debt under control. According to one of their analyses, absent serious reform of entitlement spending programs, ''Federal debt would grow rapidly from its already high level, exceeding 90 percent of GDP in 2022. After that . . . [d]ebt as a share of GDP would exceed its historical peak of 109 percent by 2026, and it would approach 200 percent in 2037.'' And that is an optimistic view. The impact of this multiplying debt will be a gross national product that is reduced by 4.5 percent in 2027 and 13.5 percent in 2037.

In other words, unless President Obama and his allies in the Senate get to work, Americans face a future of fewer jobs, flat or shrinking incomes, and loss of opportunity. And the sad truth is, as this chart shows, the President's allies have not gotten to work.

We have had a hearing on tax extenders but none on the AMT patch—the alternative minimum tax patch—and none on tax reform. We did have a hearing on the 2013 tax cuts. But we have had no markups on any of those, and we have had no floor consideration of any of those. Yet these are all extremely important matters.

It was no surprise, therefore, when former President Clinton stated yesterday that we are still in a recession. Economists might say that is not technically accurate, but it is certainly how most Americans feel. What did come as a surprise, however, was President Clinton's remarks on taxmageddon, the fiscal cliff the Nation faces at the end of this year. At least yesterday, it sounded as though his view was that we should do a complete 180 and race away from this cliff, extending in full the tax relief enacted by President Bush and extended by President Obama in 2010. Several weeks ago, 41 Senate Republicans made a similar request of the Senate's majority leader, Senator REID. This fiscal cliff is unquestionably contributing to our fiscal crisis and slowing the economy by creating enormous uncertainty for taxpayers and businesses.

Absent action to extend this tax relief, Americans will be hit with a $310 billion tax increase next year alone; 26 million middle-income families will owe $92 billion in alternative minimum tax when filing their returns 1 year from now; a family of four earning $50,000 will get hit with a $2,183 tax hike; a small business owner will face a top marginal tax rate hike of 17 percent. That is catastrophic. The number of farmers who will face the death tax will rise by 2,220 percent. The number of small business owners who will face the death tax will rise by 900 percent. There should be no higher priority for the President and the Congress than addressing these tax increases.

Yesterday, President Clinton seemed to agree, arguing that we should act now, not after the elections, to avoid the fiscal cliff. At a minimum, he concluded that a temporary extension of current tax relief is in order. To quote former President Clinton:

> They will probably have to put everything off until early next year. That's probably the best thing to do right now.

I understand that the minority leader of the Senate and the Speaker of the House have now called for a 1-year extension, during which time we should do tax reform. That makes sense. And I am committed, as the ranking member on the Senate Finance Committee, to do tax reform and hopefully bring both sides together, for once in a long time, to do what is in the best interest of this country.

President Clinton further argued:

> What I think we need to do is to find some way to avoid the fiscal cliff, to avoid doing anything that would contract the economy now, and then deal with what's necessary in the long-term debt-reduction plan as soon as they can, which presumably will be after the election.

Now, channeling Gilda Radner, and presumably following a dressing down by President Obama's campaign team, President Clinton tells us, ''Never mind.''

But President Clinton knew what he was saying. One thing I can say, knowing him as well as I do, President Clinton is a very smart man. He was making an elementary point, one that the President, President Obama, seemed to agree with when he was not running for election on a platform that single-mindedly obsesses over raising taxes on families with incomes over $250,000.

President Clinton, not wanting to further undermine our economy, recommended a short-term extension of all the tax relief. That is precisely what President Obama agreed to at the end of 2010. Given our tepid economic growth and job creation and the threat from Europe, common sense would dictate a similar course today—certainly, if the alternative is a $310 billion tax increase.

But today President Obama is running for reelection, and tax relief for the so-called rich would undermine his message of wealth redistribution. Failure to extend this tax relief, though, is not an option.

Just this morning another Obama supporter, a former Director for the National Economic Council, Larry Summers, said:

> The real risk to this economy is on the side of slowdown . . . and that means we've got to make sure that we don't take gasoline out of the tank at the end of this year. That's gotta be the top priority.

The former Director of President Obama's Office of Management and Budget concluded that what he estimates to be a $500 billion tax increase would be so large that ''the economy could be thrown back into a recession.''

According to the magazine, The Economist, the Congressional Budget Office has found that the combined effects of the sequester and the expiring tax relief would add up to 3.6 percent of GDP in fiscal year 2013. In a $15 trillion economy, that would be a hit to GDP of $540 billion, which would surely tip us toward recession and even more job losses.

The question the people of Utah and citizens around the country are asking themselves is, What is the holdup? If extending this tax relief is essential to providing families and businesses with the certainty and security necessary for economic growth, why are Senate Democrats refusing to take it up? Why is the President not pushing for immediate action to avoid this fiscal cliff?

Let me suggest an answer. The President wants to drag this out until after this election. Even if that means months of additional pain for America's families and a real hit to our economy, it will serve his long-term goal, a goal that he dares not announce until after the election. President Obama does not want the precedent of extending this tax relief for everyone because, ultimately, his liberal base does not want it extended for anyone.

The President and his advisers know our debt is unsustainable. Their base will not allow for any serious changes to spending policy, and tax increases on the wealthy alone are not adequate to get our fiscal house in order. The only solution, one that Hyde Park and Pennsylvania Avenue are loathe to discuss openly, are tax increases on everybody.

This is Matt Bai, writing last year in the New York Times:

> If Democrats are serious about reversing the policy of the Bush years, then they will probably have to be willing to make a case for eliminating all the tax cuts, not just those for the wealthiest Americans. And they may have to come up with some kind of more comprehensive plan for modernizing the entire tax code, in order to persuade voters that even if some taxes go up, they might still come out ahead.

Ezra Klein, the liberal blogger at the Washington Post, put it this way:

> We cannot fund anything close to the government's commitments if we don't raise taxes, or if we let only the Bush tax cuts for income over $250,000 expire.

Though he is now persona non grata in President Obama's camp, just a few weeks ago President Clinton was echoing this recommendation of tax increases for all.

This is President Clinton:

> This is just me now, I'm not speaking for the White House—I think you could tax me at 100 percent and you wouldn't balance the budget. We are all going to have to contribute to this, and if middle class people's wages were going up again, and we had some growth to the economy, I don't think they would object to going back to tax rates [from] when I was president.

With due respect to our former President, I do think he was speaking for the White House, and I do think most Americans would object to a tax hike. That is why President Obama has decided to lay low rather than lead. The American people are not going to accept this. We live in a republic, and it is fundamentally illegitimate, on an issue of this magnitude, for a person running for President of the United States to put these decisions off until a lameduck session of Congress when he can no longer be held to account by the American people.

It is not only an economic imperative that we extend this tax relief, it is demanded by our constitutional commitment to representative democracy. To borrow from Justice Scalia:

> The American people love democracy and the American people are not fools.

If the President and his campaign team think they can punt this issue into the fall, they are sorely mistaken. The American people will voice their displeasure with this failure to lead in November. President Clinton got it right the first time yesterday. The fiscal cliff must be addressed now. We cannot wait until later in the year. Our economy is struggling. American families are treading water. We have tried it their way for almost 4 years.

We have tried a $850 billion stimulus. We have tried ObamaCare, which was

also supposed to be a jobs program. We have tried Dodd-Frank. It is time to try something else.

There is no greater jobs program that Congress and the President could pursue than a permanent extension of the tax relief signed by Presidents Bush and Obama. It would provide enormous confidence to America's businesses and families at a time when confidence is sorely needed. This issue is not going away. I look forward to working with my colleagues to pass tax relief for all Americans sometime this summer.

We all realize we are in election mode. Maybe I realize that more than most. The fact is, we cannot punt this anymore. We cannot kick it down the road. We are going to have to find a means and a way whereby we extend this tax relief and then spend the next year working on tax reform and hopefully a bipartisan tax reform bill that everybody here can support.

So far this year just about everything the majority leader has brought up for and on behalf of Democrats is to protect the sitting 23 Democrats who are up for reelection this year. I don't blame the leader for wanting to protect his fellow Democrats. That is, after all, maybe part of the job of the leader. On the other hand, there are things that are even more important, such as the future welfare of our country, such as jobs that are not being created. They are not being created because we have no creators in the White House. It takes a President to lead on these issues.

I suggest to President Obama he would have a much better chance of reelection if he would lead on some of these issues and if he would go along with putting off these tax increases and committing Democrats and Republicans to coming up with a bipartisan reform of this awful, despicable, unworkable Tax Code. It might be one of the few ways we can bring people together. It might be one of the few ways we can turn this country around in the short term.

I think the minority leader and the Speaker of the House have something here. We ought to do this and make it the main focal point of our existence as Members of the Senate and Members of the House of Representatives. If we do this, we might even find that we can get along again. We might even find that we can work together. And we might even find the President can lead for a change, which would be a pleasant change from what I have seen over the last number of years.

I happen to like the President. I do not agree with him. Yes, I would like to replace him. But I like him personally. I believe if the President would lead here and would make this a focal point he would have a better chance in this election. Not that I want him to be successful, but at least he would have a better chance.

Deep down the American people believe nothing is being done by the White House, by this body, and throughout the country. I yearn for the day when Democrats and Republicans can get along with each other again, when we really put the country first rather than reelection first, when we really look at each other and say: You know, I like him or her. I think I can work with them. It would be wonderful if we would do that.

This is a pretty fair suggestion: Keep the tax cuts alive until we reform the tax system—this bloated, unworkable, stupid Tax Code. I actually believe it could be a way of making us all work together and making us all do so in the best interests of our country. Wouldn't that be wonderful?

I hope my colleagues on both sides will go along with doing something that makes sense—like this. I believe in these suggestions we have the makings of something that would not only help our country but help all of us to get along with each other and work in the best interests of our country.

But I will make a final point; that is, it takes Presidential leadership to make major changes like this, and we do not have that right now.

Mr. President, in remarks a few minutes ago, I stated the following:

> If extending this tax relief is essential to providing families and businesses with the certainty and security necessary for economic growth, why are Senate Democrats refusing to take it up? And why is the President not pushing for immediate action to avoid this fiscal cliff?
>
> Let me suggest an answer.
>
> The President wants to drag this out until after the elections. Even if that means months of additional pain for America's families and a real hit to our economy, it will serve his long-term goal—a goal that he dare not announce until after the election.
>
> President Obama does not want the precedent of extending this tax relief for everyone, because ultimately his liberal base does not want it extended for anyone.
>
> The President and his advisers know that our debt is unsustainable. Their base will not allow for any serious changes to spending policy, and tax increases on the wealthy alone are not adequate to get our fiscal house in order.

As support for my theory that the President could be dragging out this tax hike fight, I ask unanimous consent to have printed in the RECORD an article from the blog, ''Talking Points Memo,'' dated November 22, 2011. That blog's authors certainly are allies of President Obama and rarely does ''Talking Points Memo'' contain anything sympathetic to Republican policy positions. When it is critical of President Obama, the blog's criticisms tend to spring from the far left of the political spectrum. I ask my colleagues to ask themselves the question above: ''Why is the President not pushing for immediate action to avoid this fiscal cliff?'' and then read the article.

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

OBAMA ISSUES VETO THREAT ON BUSH TAX CUTS

(By Brian Beutler)

> President Obama has threatened to veto any legislation that attempts to eliminate the automatic penalties for Super Committee failure. But on January 1, 2013—the same day the automatic, across the board spending cuts are scheduled to take effect—all of the Bush tax cuts are set to expire. And the White House plans to use the threat of full expiration the exact same way they're using the threat of sequestration—to force Republicans to accept a higher tax burden on wealthy Americans.
>
> ''He won't sign a full extension,'' said one Senior Administration Official at a White House background briefing for reporters on the Super Committee.
>
> ''I think if you look at everything that happens in January 2013, it is a compelling argument that there's a need to make real policy,'' said another Senior Administration Official. ''And I think the fact the sequester will hit in January 2013 and the expiration of the tax cuts hits in 2013, the right thing to do is tax reform that has both positive impact on the economy and is fair in terms of distribution of the tax burden, and then balanced savings that share the burden amongst all the different parts of the budget from the very rich to people on Medicare and Medicaid.''
>
> If you despise government indiscriminately, the Super Committee's inaction doesn't really matter on it's own—it just means more spending cuts. ''Super Committee could not agree how to cut $1.2 Trillion,'' tweeted anti-tax crusader Grover Norquist. ''So now we 'sequester' (french for ''cut'') $1.2 Trillion. This is failing, how?''
>
> True enough. But unless the White House changes its tune, members of Congress won't just have a choice between lower spending and higher taxes. If Republicans dig in their heels and refuse to raise taxes on the wealthy, then taxes will go up automatically. Democrats proved in the Super Committee negotiations that they have the nerve to hold out on spending cuts until Republicans toss Norquist and his fellow conservative activists under the bus. Unless that changes, it's a powerful incentive for Republicans to change their strategy—and their orthodoxy.

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

The ACTING PRESIDENT pro tempore. Would the Senator withhold the request.

Mr. HATCH. I withhold. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I yield to the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

WORLD WAR II PRAYER ACT OF 2012

Mr. PORTMAN. Madam President, I ask unanimous consent to enter into a colloquy for 15 minutes with my colleague from Connecticut, Senator LIEBERMAN, about the new legislation we just introduced, S. 3078, the World War II Prayer Act of 2012.

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

Mr. PORTMAN. Madam Portman, this bill will lead to the placement of a plaque or inscription at the National World War II Memorial in Washington, DC, with a prayer that Franklin Delano Roosevelt shared with the Nation by radio address 68 years ago today. The occasion was D-day, June 6, 1944.

On D-day American troops, joined by allied forces, carried out an amphibious and airborne landing on five

beaches on the heavily fortified coast of France's Normandy region. Some have termed those Normandy landings as the beginning of the end of the war in Europe. I believe that is true because courageous Americans were willing to risk their lives on the coast of France that day. Thousands made the ultimate sacrifice that day.

With the invasion underway, President Franklin Delano Roosevelt asked our Nation to come together in prayer for the men who were engaged in this dangerous but very important battle. His powerful and ecumenical prayer, drawing on our Nation's rich Judeo-Christian heritage and values, brought strength and inspiration to many during what was a challenging time for our country.

Today I have the honor, along with Senator LIEBERMAN, to introduce this legislation to commemorate that prayer and that day. His words, of course, brought comfort to the many families and friends of the brave men who were killed in action. Those words of Franklin Roosevelt are etched in our history and in our minds, and we hope soon in stone. Our bill ensures that the prayer becomes a permanent reminder of the sacrifice of those who fought in World War II and in the power of prayer through difficult times.

We worked closely with the National Park Service to ensure that the plaque or inscription does not disrupt the World War II Memorial or bypass the Commemorative Works Act process, which governs monuments in Washington. The placement and design of the plaque would be assigned to a commemorative works approval and review process, which makes it consistent with legislation that was passed by previous Congresses.

It is adding some historical context to this beautiful memorial—adding a layer of commemoration, not taking anything away from the memorial that is already in place.

My friend in the House of Representatives, Congressman BILL JOHNSON of Ohio, introduced a House companion bill to this legislation, which has passed the House earlier this year with an overwhelming bipartisan vote of 386 to 26.

Today, on the 68th anniversary of this historic battle known as D-day, we hope to inspire the Senate to follow suit and tell the story of this powerful prayer that moved the Nation in honor of heroes by placing a marker with the prayer at the World War II Memorial.

Madam President, I would like to now turn things over to Senator LIEBERMAN, my cosponsor of this legislation, and a leader in the Senate and in our country for his thoughts. After that we will join to recite parts of this incredibly powerful extraordinary Presidential prayer from World War II.

Mr. LIEBERMAN. Madam President, I thank my friend from Ohio for taking the lead on what I call a noble project, and I am confident that all of our colleagues will join us in this to include FDR's national prayer at the World War II Memorial.

It is very important to remember that D-day, which was 68 years ago today, turned out to be a pivotal moment in the war in Europe. FDR chose not to give a speech announcing the landing at Normandy but to offer a national prayer. I think in doing so, he went to a very proud, not only tradition in America but one of our great assets where we have had the ability to bring faith and God in a very inclusive and nondiscriminatory way into our public life to the great benefit of our Nation.

As he delivered these words of prayer in a historic radio broadcast, which of course is the way it was done in those days, the success of the bold and dangerous D-day plan was far from assured. But with the eloquent faithfulness of his words and with his steady Presidential leadership, I believe the brave American men and women in uniform who landed at Normandy were strengthened by the conviction of our national values, the virtue and righteousness of their cause, and, of course, with confidence that they would benefit from the guiding grace of God.

I remember words by President Reagan on another Normandy anniversary when he said:

> The men of Normandy had faith that what they were doing was right, faith that they fought for all humanity, faith that a just God would grant them mercy on this beachhead, or on the next.

Indeed, I think adding FDR'S prayer to the grandness of the World War II Memorial will even elevate it, and it will rightly remind all who visit of the essential role that faith in God played at that pivotal moment of world history. It will also remind us that faith in God has played a pivotal role in American history every day since the Declaration of Independence on July 4, 1776, when our Founders declared that they were forming our new government to secure the rights of life, liberty, and happiness that each of us receive as an endowment from our creator.

All of this is expressed in the wonderful idea that Senator PORTMAN has had and would be accomplished by this project.

I yield back to my friend from Ohio for the beginning of President Roosevelt's prayer.

Mr. PORTMAN. I thank my colleague from Connecticut. As he said so well, the power of prayer in this case, as was true in our Nation's great history, is a comfort and inspiration to the country.

As I noted earlier, we would like to recite the prayer. I would ask those in the gallery and on the floor today to join us in this prayer. I will start by reading the first half, including some words that President Roosevelt said prior to the prayer, and then Senator LIEBERMAN will read the second half.

Franklin Roosevelt started off by saying:

> My fellow Americans: Last night when I spoke with you about the fall of Rome, I knew at that moment that troops of the United States and our allies were crossing the Channel in another and greater operation. It has come to pass with success thus far.
>
> And so in this poignant hour, I ask you to join me in prayer.
>
> Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.
>
> Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness in their faith.
>
> They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.
>
> They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.
>
> For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and goodwill among all Thy people. They yearn but for the end of battle, for their return to the haven of home.
>
> Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

I would now like to turn to Senator LIEBERMAN to read the second half of the prayer.

Mr. LIEBERMAN. I continue with Roosevelt's prayer.

> And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas—whose thoughts and prayers are ever with them—help us, Almighty God, to rededicate ourselves in renewed faith in Thee in this hour of great sacrifice.
>
> Many people have urged that I call the Nation into a single day of special prayer. But because the road is long and the desire is great, I ask that our people devote themselves in a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help to our efforts.
>
> Give us strength, too—strength in our daily tasks, to redouble the contributions we make in the physical and the material support of our armed forces.
>
> And let our hearts be stout, to wait out the long travail, to bear sorrows that may come, to impart our courage unto our sons wheresoever they may be.
>
> And, O Lord, give us faith. Give us faith in Thee. Faith in our sons; Faith in each other; Faith in our united crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment let not these deter us in our unconquerable purpose.
>
> With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister Nations into a world unity that will spell a sure peace a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.
>
> Thy will be done, Almighty God.
>
> Amen.

Madam President, as we know, many lives were lost on D-day and what followed, but it led to the defeat of—if I

may use President Roosevelt's words—''the unholy forces of our enemy,'' and of a remarkable period of peace and prosperity in America and certainly in Europe.

If I might add briefly, although the circumstances and challenges we face at this moment in our Nation's history are much less greater than America faced on June 6, 1944, nonetheless, there is a certain absence of hopefulness and confidence today. I would respectfully suggest that one of the great sources of hopefulness and confidence that we all could benefit from today is exactly the faith in God in a very inclusive way such as President Roosevelt spoke on that fateful day of June 6, 1944.

Again, with thanks to my friend from Ohio for this idea and for his generosity of spirit in inviting me to join both in sponsoring this proposal and in reading this prayer today, I yield the floor back to the Senator from Ohio.

Mr. PORTMAN. Madam President, I thank my friend. I tell the Senator that I am proud to stand by his side in this small effort to commemorate what happened 68 years ago today, which was the President calling the Nation in prayer and invoking the Almighty to help protect our sons and daughters in battle.

I just came back from Afghanistan yesterday morning, and I would agree with my friend from Connecticut that so much of what we are facing today would also be relevant to these words. I think, particularly, these words in the prayer:

> For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight for tolerance and goodwill among all Thy people. They yearn but for the end of battle, for their return to the haven of home.

That certainly describes our great young men and women in uniform who are in Afghanistan protecting us and encouraging tolerance, goodwill, and justice not just for us but for that country and, indeed, for the world.

I thank my colleague again for his being willing to join me in this effort. I hope my other colleagues will join us in encouraging that this important, extraordinary prayer and this example of the power of faith in our Nation's history be added to the World War II Memorial.

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

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

The bill clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, today we have before us the Agriculture Reform, Food and Jobs Act of 2012. It is more commonly known as the farm bill. It is critically important for America's farmers and ranchers. But it might also be known as the conservation bill, as the food bill, and, even better, the kitchen table bill because this bill affects every one of us.

The Agriculture Committee is different from most other committees in Congress. Our committee room does not have a raised dais. Instead, we sit around a table just like families across the country do and just like farmers and ranchers do after a long day of work in the fields. To write this farm bill, we sat down around our table and we talked to each other and we listened to each other and we worked in a bipartisan way to craft a bill that creates jobs while cutting subsidies and reducing the deficit.

The result of that effort is what is before us in the Senate. It is a bill that affects every family across the country. The farm bill makes it possible for many families to come together around their own kitchen tables to enjoy the bounty of the world's safest, most abundant, and most affordable food supply.

We are also aware, especially in this very tough economy, that many of our neighbors, many of our friends, many of our family members are struggling to put food on their own tables. The farm bill is critically important to those families as well. As we begin our debate in the Senate on the farm bill, let us remember the families all across the country who are counting on us to get this right.

I want my colleagues to also remember that the farm bill is a jobs bill—16 million jobs. Sixteen million jobs in this country rely on the continued strength of American agriculture. They are the people doing the work it takes to put the food on our kitchen tables, not just those on the farm but those who manufacture, sell farm equipment, the people who ship the crops from one place to another, the people who have the farmers markets and local food hubs, the people who work in food processing and crop protection and crop fertility, not to mention the researchers and the scientists who worked hard every day to fight pests and diseases that threaten our food supply.

Throughout this recession, as those 16 million people can attest, agriculture has been one of the truly bright spots in our economy. That is why we made such an important effort, such an important bipartisan effort in this farm bill to support beginning farmers as well. We are giving them additional support for training, mentoring, and outreach to ensure the success of our next generation of farmers.

In addition, we are giving opportunities for U.S. veterans who are interested in pursuing a career in agriculture, and we are creating a military veterans agricultural liaison within the Department of Agriculture to educate veterans about farming and connecting them with beginning farmer training programs. I would also remind my colleagues that for those who have served and are serving us in Iraq and Afghanistan, the majority of them—over half of them—are coming from small towns and rural communities and they are coming home. One of the ways to provide opportunities for jobs is to support them coming back to their community by having the opportunity to go into agriculture.

One of the brightest spots in agriculture has been in exports. This chart shows the incredible growth of agricultural exports over the last number of years. In fact, total agricultural exports in 2011 alone reached $136 billion. It is a 270-percent increase just in the last 10 years, an explosion, as we reach out. American agriculture is looked to and depended upon to feed the families of the world.

Our trade surplus is $42.5 billion. Let me repeat that. We have a significant trade surplus in agriculture. We cannot say that in much of any other place in our economy. But in agriculture we are growing it here at home. The jobs are here at home, and we are exporting it overseas, which is what I would like to see in every one of our industries. It is one of the few areas where we have that kind of success.

We know that for every $1 billion in agricultural exports, we are creating 8,400 American jobs—8,400 American jobs for every $1 billion in exports. The investments we make in market development, in access for our agricultural products overseas, will continue to create jobs here at home.

As we were writing the farm bill, we also did something that families all cross the country are doing during these very hard times. We went through everything we are spending, everything we are spending money on, and we looked at how we could do more for less. We literally went through every page of farm policy and agriculture spending through USDA. This bill represents major reforms that will allow us to focus fewer resources on the things that create jobs and make the biggest difference. In other words, we are refocusing. We are cutting the things that are not important and refocusing on the things that are and the things that create jobs.

The Agriculture Reform Food and Jobs Act is about cutting subsidies and creating jobs in America. The reforms in this bill start on page 1 with the repeal of direct payments, countercyclical payments, and the Average Crop Revenue Election, which has been called the ACRE Program.

We are creating a new approach, a new program that only helps farmers when there is a loss and only for crops they have actually planted, and we are strengthening payment limits. We are ending more than 100 programs and authorizations that are no longer needed, and we are doing all of this in order to be able to cut the deficit by $23 billion.

The most fundamental reform in the Agriculture Reform Food and Jobs Act is the shift away from direct payments

and toward risk management for farmers. Throughout this process, we have been focused on principles, not programs, and the No. 1 principle is risk management. So we are repealing direct payments. We know farmers face unique risks unlike those in other businesses.

Let me stress that again. I do not know of any business that has the same kind of risks in market volatility, in weather volatility than our farmers and ranchers do. It is very fortunate we still have people who want to stay in that business, given all the risks, weather and market conditions, which are out of producers' control. They can have devastating effects. We know that. But the current system focused around direct and countercyclical payments does not focus on actual risk and it is no longer defensible or sustainable.

In this current fiscal and political environment, these programs actually jeopardize our ability to have a real safety net for farmers and the jobs that depend on them. That is why we are eliminating those programs and instead strengthening crop insurance as the centerpiece of risk management in the farm bill.

This is the No. 1 issue we heard from every farmer who has testified before the committee, whether it was in Michigan or in Kansas or across the country. Every region of the country we have heard the same thing loudly and clearly.

The basic foundation of support for producers is crop insurance. We are expanding crop insurance in the bill to include specialty crops and others as well. Because while we know crop insurance is the foundation, it does not work the same. It is not available for every commodity. That is a commitment we have made to expand crop insurance, including specialty crops, which are essentially the kinds of crops we are likely to find in the produce aisle of our supermarket or at the local farmers market: nuts, vegetables, fruits, and other products.

This is an extremely diverse group of crops, and the bill recognizes the unique crop insurance needs of specialty crop growers. We are also taking strides to help young and beginning farmers get started and succeed in farming. We have made revisions to crop insurance to better help those new farmers by reducing their crop insurance premiums and providing additional support when disasters strike.

Supplement crop insurance. This bill creates a simple market-oriented and risk-based program we are calling ARC, Agricultural Risk Coverage. ARC represents a significant and historic reform in agriculture policy. For years, Congress has struggled to balance the needs of different commodities, different programs. This is solved with the new ARC Program, which uses the market as a guide and treats every commodity the same.

The current system essentially amounts to an income transfer from the Federal Treasury to only certain people, certain farmers, because payments are made every year without regard to whether the farmer had a successful year or whether the individual is farming. I say ''certain people'' because many farmers do not qualify for the help today as well.

Direct and countercyclical payments are made using what is called base acres. That is the current system to determine the payments. Base acres were set using what was planted on the farms back in 1980s. So these base acres have little relevance to what is actually happening on many farms today. This change is also very important for new farmers. We have told beginning farmers this is a very important way to support them.

Our ARC, on the other hand, the program we have developed in this bill, uses only the acres a farmer actually plants. It is able to adapt to free market forces and the decisions made being made on the farm without interference from those business decisions a farmer makes. We want the marketplace making the decisions, not the government.

ARC is market oriented. Farmers only get help when the market moves in the opposite direction from historic price trends farmers use to plan their business and make planning decisions. The payment amount is based on actual historic numbers from the marketplace, not from the Halls of Congress.

Finally, too many current program payments are being made to people who do not actually farm or already have large incomes. The farm bill fixes this. Under current law, we say farm payments can only go to people who are actively engaged in farming. This requirement contained a loophole, however, known as the management loophole that lets a farm operation designate managers who are not actually farming, but because they are listed as managers, they can still get a payment from the government, and it can allow them to get around the payment limits.

That does not make any sense. Thanks to Senator GRASSLEY, Senator TIM JOHNSON, who has legislation in this area—and Senator GRASSLEY is a member of our committee who has been such a champion on this issue—we have eliminated that loophole and made sure the payments are going to people who are actually farming.

This farm bill also reforms the adjusted gross income eligibility requirement, lowers it substantially, eliminating any payment to millionaires. Current law includes two AGI calculations, one for farm income, one for nonfarm income, which is confusing and difficult to administer. It may allow some people to split their income in a way that they are eligible for payments they otherwise would not be eligible for. We close this loophole. We use a single, simple AGI calculation and restrict the eligibility to those who have less than $750,000 in AGI.

Finally, the farm bill caps payments at $50,000, less than half of what a farmer can currently receive. Coupled with closing the management loophole, the farm bill contains the tightest and strongest payment limit reforms ever, while maintaining and strengthening the farm safety net for farmers who really need it. And this is very important. This is not about eliminating options, it is about focusing on those who have the most risk and have the most need.

In dairy, we also reform our Nation's dairy policies, replacing the dairy programs with new, market-oriented programs that allow farmers to manage their own risk in a manner that works best for them. The dairy industry suffered serious hardship in 2009, as many of us know—and certainly the Presiding Officer knows we in Michigan have the same thing—when milk prices dropped substantially, wiping out many small and medium-sized dairies. Despite spending $1.3 billion that year, our current dairy programs weren't able to help many of the farmers in crisis. In some cases, dairy farms that had been passed down from generation to generation went bankrupt and, sadly, some farmers even took their own lives.

Dairy operations across the country are extremely diverse, and the dairy policies we are setting in this bill recognize that diversity. We created programs that can be customized by each dairy, and we allow individual dairies to determine whether to participate in the programs at all. Two programs will now comprise the dairy risk management system: the Dairy Production Margin Protection Program and the Dairy Market Stabilization Program.

The first provides support based on margin—that is, the difference between the milk price and the feed input costs. This is important because rising grain prices, coupled with dropping milk prices, can have a devastating impact on America's dairies. Producers will have to share in the program's costs—and this is important—but it will allow them to manage their risk on more of their production at higher protection levels. We are providing a discounted premium for the first 4 million pounds of milk marketed for each producer—which is somewhere around 200 to 250 cows—to make sure that small and medium-sized operations will be able to participate and that all farms will be eligible.

The second program, the Market Stabilization Program, sends clear market signals to producers that indicate when they are oversupplying the market. Dairy is a unique commodity in that it is produced 365 days a year, cows must be milked daily, the raw product requires further handling and processing, and there are significant regional differences in management and marketing. By temporarily reducing a participating operation's payment for milk marketed by a small percentage when there is too much supply, the

margin program removes the incentive for dairies to overproduce during times of low margins. The program also includes a suspension trigger based on world prices that ensures U.S. dairies are competitive in the global market.

Conservation. Throughout this farm bill, we took the same approach as a family sitting around the table would when they are trying to figure out cuts in their own budget. We went through every program, again looked at what was working, what wasn't, looked for duplication and waste, and we focused on principles, not programs. An excellent example of that really is conservation.

Farming is measured in generations. Farms are passed down from children to grandchildren. But a farm can only be successful if it has quality soil and clean water. One of the farmers who testified before our committee told us that conservation programs which ''enhance and protect our natural resource base is a crop insurance program for the nation.'' I would agree. With a growing global population, it is even more important than ever that we conserve water and conserve soil resources. Advances in technology and farm practices have helped our farmers be more productive than ever before, but no amount of technology can overcome degraded soils, poor water quality, or a lack of water.

The farm bill is actually our Nation's single biggest investment in land and water conservation on private lands in our country. As we went through every program, we focused on making them more flexible and easier to use. We have been able to focus 23 different programs into 13. We have reduced it to 13 and put them in 4 primary functions, with a lot more flexibility for the users.

The first function is working lands—giving farmers and ranchers the tools they need to be better stewards of the land. The Environmental Quality Incentive Program—or EQIP—is one of the most important conservation programs for working lands, providing technical and financial assistance to farmers, ranchers, and private forest owners to help them conserve soil and water. This function also includes the Conservation Stewardship Program, which encourages higher levels of conservation and the adoption of emerging conservation technologies.

We also continued the conservation innovation grants and the Voluntary Public Access and Habitat Incentive Program, which allows private landowners to get added benefits from their lands by opening them up to hunting, fishing, bird watching, and other kinds of outdoor recreation. We made these programs more flexible—and this is very important—and we added a focus on wildlife habitats and made them easier for farmers to take advantage of.

The second area is the Conservation Reserve Program—very important. It removes highly erodible land from production to benefit soil and water quality as well as wildlife habitat. Parts of the Southwest—certainly my friend and colleague from Kansas knows this—have experienced record droughts this year. It is stunning what has happened, and it is the worst since the Dust Bowl era of the 1930s. But the soil, while it was dry, stayed on the ground because the Conservation Reserve Program was a part of that change protecting the soil and air. Our conservation efforts are actually working, and we are seeing changes even in the worst of times as it relates to the droughts.

CRP has also been critical in our efforts to rebuild wildlife populations and to reduce pollution in our streams, our rivers, and our lakes. We also continued an important transition incentives program to help older farmers transition their land to beginning farmers.

Third, we focused on regional partnerships. We consolidated four different programs into one that will provide competitive, merit-based grants to regional partnerships comprised of conservation groups, universities, farmers, ranchers, and private landowners to support improvements to soil health, water quality and quantity, and wildlife habitat. That is certainly important to me for the Great Lakes—and I know the Presiding Officer cares about that as well—but it is also critical for the Chesapeake Bay. And I want to thank our colleagues from the bay area, certainly Senator CARDIN and Senator CASEY, who are on the committee, but also Senator WARNER and Members all across the bay who have been deeply involved in making sure we get this right. It is also there for other critical areas around the country that have large-scale regional challenges around conservation.

Finally, I am really proud of the work that was done around easements. Easements allow landowners to voluntarily enter into an agreement to preserve wetlands and farmland to protect against development and sprawl. This year, funding for both the Wetlands Reserve Program and the Grasslands Reserve Program were was out. So we streamlined and consolidated to establish an easement program with a permanent baseline going forward to protect agricultural lands from development.

This bill also includes a bipartisan sodsaver provision, and I wish to thank Senators THUNE, JOHANNS, and SHERROD BROWN for bringing it forward, authoring it, and working with us. This provision helps prevent the plowing up of native prairie. Sodsaver is aimed at protecting grasslands at high risk of being converted to cropland. This is not only good for conservation, it saves taxpayers $200 million over 10 years, and it is tied to crop insurance.

I should also say that while the conservation title in the farm bill is a big win for conservation of our environment, I am proud to say we have continued to link the commodity title, which I described earlier, to conservation.

In crop insurance, the sodsaver program creates a penalty if, in fact, someone is plowing up native prairie. They would lose part of their discount under crop insurance if they did that. So it is tied there, and that is very important.

I am very proud of the fact that we received support for our approach from 643 different conservation and environmental groups in all 50 States. I think that says loudly and clearly that it is possible to make smart cuts that increase flexibility without sacrificing effectiveness.

Another area in which we have made significant strides is nutrition and healthy foods. For too long our Nation's farm bill ignored the diversity of agriculture and the kinds of healthy foods, such as fruits and vegetables, that families in America want to put on their kitchen tables as well. We made significant progress on this front in the 2008 farm bill, with the first-ever specialty crops title, and we have continued the progress in the Agriculture Reform, Food and Jobs Act.

As I said earlier, as I go to every part of Michigan, I meet people who have worked all their lives, paid taxes, and never imagined they would be put in a position where they would need help putting food on the table for their families. Because of this recession, which has been way too long in Michigan—it is getting better, but we have been hit harder, deeper, and longer than anywhere—a lot of families have had to ask for temporary help. And when they need it, whether it is food assistance from the Supplemental Nutrition Assistance Program, which used to be called food stamps and is now called SNAP, or whether it is help from a food bank, those families are grateful, and we should be there when they need that temporary help.

We all expect those programs to have integrity. And as someone whose State has been hit harder than anyone else's, I want to make absolutely sure these programs are in place for families who need it, and that means making absolutely sure every dollar goes to only the families who need it. That is why we are closing loopholes that allowed lottery winners—and, unbelievably, we have had at least two instances of this in Michigan, where someone won the lottery and was able to continue on food assistance. It is shameful that so many American children go to bed hungry at night and outrageous that people who have won millions of dollars in the lottery would be able to continue food assistance. So we made it absolutely clear that those individuals would be removed from SNAP immediately.

We are also cracking down on the trafficking of food assistance benefits. Right now, thanks to the efforts of the last farm bill, fraud is at an alltime low, but we can do even more. We are

giving additional resources to monitor and prevent benefit trafficking, as well as cracking down on liquor and tobacco stores that are currently allowed to participate in the program.

We are making sure that only people returning to school for career and technical training are eligible for food assistance, not college students who are currently at home or being supported by their parents.

Again, with so many families and so many children in need, we can't afford to divert funds in a way that just shouldn't be there.

We must also ensure that the standards Congress created for SNAP are followed by the States. We are eliminating a gap in standards that has allowed 16 States, including Michigan, to give just $1 to people in the form of energy assistance to help them automatically qualify for additional SNAP benefits. We know families in parts of the country with high energy bills are often those who are most food insecure, and that is why we created the link between food assistance and LIHEAP. But it is clear Congress never intended for State governments to use this in a way that could jeopardize additional assistance for families with the highest utility bills.

Just like with commodity programs, we need to make sure the work we are doing has integrity and is defensible in our current budget climate, and we do this in a very careful way to make sure we do not inadvertently hurt families who truly do have significant energy costs.

In addition to increasing accountability, we are building on the success of programs that reduce hunger and improve access to healthy fruits and vegetables. We increase assistance for food banks through the Emergency Food Assistance Program. In 2010 more than 5 million people visited a food bank, and as we recover from this recession, it is absolutely critical that these organizations have food in stock to help those in need.

We are streamlining the Commodity Supplemental Food Program, which provides food to low-income individuals, to focus on seniors, and we are moving women and children into the WIC Program, where they can be better served.

We are continuing the Fresh Fruit and Vegetable Program, which was authored originally by Senator HARKIN when he was chairing the committee, and I was very proud to work with him on that. It provides free and healthy snacks to schools with a high number of low-income children, and it has been incredibly successful.

This bill triples our support for farmers markets and gives them resources to develop local infrastructure such as food hubs. And we are continuing an effort to give low-income seniors access to healthy fruits and vegetables at farmers markets and roadside stands.

We are increasing funding for innovative projects such as community gardens and urban greenhouse initiatives and protecting funding for programs that improve people's health.

I should say that all of these are done with small amounts of dollars, but they are very effective.

We are creating a national pilot modeled after Michigan's successful Double Up Food Bucks, which gives families relying on SNAP the opportunity to truly be able to buy fresh fruits and vegetables for their families. We are also authorizing the Healthy Food Financing Initiative to offer loans and grants to help address the problem of food deserts in underserved communities.

We increased funding for several organic programs, which, by the way, is the fastest growing segment of American agriculture. We increased support for organic research and extension, and we nearly doubled funding for the organic cost-share program that supports farmers.

This farm bill is a jobs bill, but it is also a food bill, and the 2012 farm bill goes a long way toward making sure every mom and dad can put healthy, nutritious food on the table for their children.

As we worked through the farm bill around our table in the Agriculture Committee, we focused on streamlining and consolidating programs to get the best possible results. I think that is what people want us to do. I certainly know that is what people in Michigan want us to do. We certainly see that in conservation, but we also approached this in every part of the farm bill.

In farm credit and rural development, we are streamlining the existing laws, removing unused provisions, and making authorizations more effective and the administration more effective so that when we have a part-time mayor who is trying to figure out rural development programs, they can actually do it and they actually use what have been extremely effective programs for rural communities.

In our research title, we eliminated dozens of unused or indefensible authorizations but continued the most important research components and functions, while streamlining operations, improving accountability in the use of Federal research funds, and creating an innovative, new research foundation that matches private dollars and leverages Federal research dollars to get more innovative food and agricultural research. And I wish to thank my friend from Kansas, Senator ROBERTS, for his important leadership in this as well.

We funded important energy programs, invested in specialty crops and organic farming, as I mentioned, and we have done all of this while saving the Federal taxpayers $23 billion. We did it around our table in the ag room, in a bipartisan fashion, working out differences and arriving at real solutions.

In the coming days, as we get to debate on the farm bill, we will talk more about specifics, and I will join my colleagues from the committee in further explaining various aspects of the bill, and we will continue to work with all of our colleagues to find additional solutions and to improve the bill so that our farm programs work best for all of our regions and all of our States.

While I will do everything I can to work out issues with our colleagues, I wish to stress the important balance we have struck in a bipartisan effort, the reforms we have undertaken, and the work we put into making real reforms without hurting families and without hurting farmers, who are so important to our economic recovery.

I am very proud of the work we have been able to accomplish—it has been a lot of hard work—and the way we saved American taxpayers $23 billion through these reforms. I would encourage colleagues to look closely at the work we have done in the bill, to find a way to support it, to help us send a strong message to all Americans that this Congress, this Senate can make tough, smart decisions that cut spending, invest in America, and that we can do it together.

Speaking of doing it together, I could not have done this without my friend and my partner, Senator ROBERTS, the ranking member from Kansas. This has been a long and difficult process, but frankly there is nobody I would rather have had sitting across the table from me as we worked out this bill. Too many people look at Washington and only see dysfunction and partisanship and divisiveness. Yet we on the Agriculture Committee have found a way to work together for the good of the country, for 16 million people who depend on agriculture for their livelihood. That couldn't have happened without Senator ROBERTS' leadership and support, and I thank him as we move forward on this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, first, I would like to thank the distinguished Senator from Michigan for her very kind remarks. This has been a team effort. She has been a very strong leader to try to put together a bill. I thank her for her very detailed summary, title by title, of the farm bill—something a lot of us probably couldn't do, but at any rate, she has done that, and it is in the CONGRESSIONAL RECORD. I urge my colleagues to really take a look at what the distinguished chairwoman has said today because she has literally gone down every title in the farm bill. So if anybody has any questions, it is right there, and, as she has indicated, if anybody has questions of either of us, please be in contact with either us or our very able staff.

I rise today in strong support of the Agriculture Reform, Food and Jobs Act of 2012, the farm bill, and I am privileged to stand here today with Chairwoman STABENOW, who led this reform legislation through the Agriculture

Committee. It has truly been a bipartisan and a team effort. It represents the final product of numerous hearings and months of discussions as we worked to write a new farm bill during the most difficult budget climate in our Nation's recent history.

I am proud to say that we have put together a bipartisan bill that strengthens and preserves the safety net for our farmers and ranchers in rural America, while providing $23.6 billion—$24 billion, as a politician's counting—in deficit reduction under this bill reported by the committee on a bipartisan vote of 16 to 5.

Let me repeat that. The Senate Agriculture Committee voluntarily wrote and reported a bill that provides $23.6 billion in deficit reduction. It is a bill that represents real reform. We are the first authorizing committee to produce those kinds of mandatory budget savings, and it was voluntary.

We all remember the supercommittee that tried very hard to achieve deficit reduction. The supercommittee was really not that super—not because of those people individually but because of the circumstances. Well, we are a supercommittee. We came up with $23.6 billion. I don't know of anybody over on the House side—perhaps I am wrong, but in the Senate we are the only folks who have really come up with real budget savings.

It also represents, as I have indicated and as the chairwoman indicated, real reform. Just listen to this. We have eliminated four commodity programs that caused farmers untold hours of preparation—go down to the Farm Service Agency and talk to the folks down there, who are hard-pressed anyway, and ask: ''Which program do I sign up for? How can I plan down the road?'' We rolled all of these commodity programs into one, while saving approximately $15 billion from the farm safety net programs. That is truly remarkable.

Twenty-three conservation programs are streamlined into 13, while saving nearly $6.4 billion. Approximately $4 billion is saved in the nutrition title, while at the same time expanding our efforts to root out fraud and abuse. Sixteen program authorizations are eliminated in the rural development title, eliminating over $1 billion of authorized spending over 10 years on top of the mandatory. Two programs are combined and another two eliminated in specialty crops. Over $200 million less in mandatory money is provided in the energy title compared to the 2008 farm bill. Five programs are eliminated in the forestry title, reducing authorizations by at least $20 million. Over 60 authorizations are eliminated from the research title, reducing authorizations by at least $770 million over 5 years. Again, that is $23.6 billion in tough mandatory savings, at least $1.8 billion in reduced discretionary authorizations, and at least 100 programs or authorizations that have been eliminated.

This is a reform bill. No other committee in the House or Senate has voluntarily undertaken programmatic and funding reforms at this level in this budget climate—no other committee. Believe me, it would have been much easier to write a baseline bill with no change in CBO spending projections. We could have fulfilled everyone's request on the committee and in the Senate, but we would not have performed the duty that we were elected to perform and that our constituents expect in this budget climate and that farmers and ranchers expect and their lenders expect and all up and down Main Street throughout rural and smalltown America or, for that matter, any taxpayer or any citizen of the United States. We have reduced spending, and we have reformed programs. That is what they want, and they want us to work together, and that is what we have done. At the same time, it is a bill that strengthens and preserves our farm risk management, conservation, research, and rural community programs.

We have strengthened and preserved the Crop Insurance Program—as pointed out by the distinguished chairwoman, the No. 1 priority of virtually every producer who testified before our committee. Why? Because their banker or their lenders say: You have to have crop insurance, and you have to strengthen it, and you have to improve it. In the past, we have been using crop insurance as a bank. No, we are not going to do that anymore given the circumstances our farmers face even today in Kansas as we go through another dry spell, and also in Texas, Oklahoma, and the High Plains.

We have streamlined our commodity programs, while reducing the complexity for the producers. We have updated the acreage upon which support is based to reflect more recent cropping patterns. That is a point I wish to discuss just a little bit more.

In recent days and weeks, it has seemed there has been just a little bit of confusion here in the Capitol region. It seems that some think we should write a farm safety net program and allocate their funding by commodity group or organization, sort of like a pie chart. If all you did was listen to these groups, you would think we were robbing Peter to pay Paul.

I understand that the elimination of direct payments is a big deal to many commodities. If anybody should understand that, it should be me. As a key feature of the 1996 act, I originally authored the program at that time. One of the biggest beneficiaries of the program has been wheat, especially in Kansas. But the taxpayers have been clear in this budget climate: Why should Congress continue and defend a program based on planting acreages established over 25 years ago? That doesn't make any sense.

Yes, the elimination of direct payments means the end of many wheat payments in Kansas, but that does not mean Kansas producers will no longer have a farm safety net—quite the contrary. They will have a strong risk management program. It will just be for different crops. Why? Because when base acres were established over 25 years ago, Kansas planted over 2.8 million acres of corn, 4.2 million acres of sorghum, 1.6 million acres of soybeans, and 12.1 million acres of wheat.

Now, in the most recent 3-year period, Kansas farmers planted 4.6 million acres of corn, 2.6 million acres of sorghum, 4 million acres of soybeans, and 8.8 million acres of wheat. Why? That is 4.9 million fewer acres of wheat and sorghum and 4.2 million more acres of corn and soybeans.

Why did that happen? Why did these acreage shifts in Kansas and all over the country change like that? It occurred because farmers made those decisions, not Washington. Our producers have planted for the domestic and international market, and we have done so in a way that we do not encourage a WTO challenge. The cropping changes are much the same all throughout the Nation, especially among States represented on the Agriculture Committee.

Money is shifting among commodities because farmers are farming differently. They are becoming much more diversified throughout the States on this committee and the Nation. It is not shifting because we in Washington are intentionally picking winners and losers.

I understand some are frustrated with the decisions and changes we have in this bill. That takes place in any farm bill. Quite honestly, there are things that, if we had the funds available, the chairwoman and I both would have preferred to have done differently. But let's be blunt. This is not the 2002 or 2008 farm bill, and we do not have extra funds available.

This is not my first trip to the farm bill rodeo. I have written bills in times of budget surpluses and extra spending, and I have written farm bills in the middle of deficit cutting exercises—seven of them. Make no mistake about it, it is much easier to write a bill when we are adding money to the baseline—a whole heck-of-a-lot easier.

Nutrition groups, conservation organizations, our commodity groups, our Members of Congress want to stand by you and take the bows when you are adding money to the programs. But when it comes time to make difficult decisions and do what is right for the country by reducing spending and reforming programs, sometimes they are just not even in the same room. They are hiding in the weeds.

American agriculture today is a modern-day miracle. Every American farmer feeds you, Mr. President, and 150 other people. In America today our consumers spend less of their disposable income on food—and their market basket, OK?—than any other Nation in the world. America's farmers and ranchers provide us with the most

abundant and affordable and safest food supply on the planet. That is a speech every farm organization and commodity group and farmers and ranchers have heard over and over, but it is a speech that deserves repeating to all my colleagues over and over so they get it.

They feed our Nation. Our producers feed our country. They feed the world, a troubled and hungry world. They provide food for the food aid programs that help countries around the world send young girls to school. Sending those girls to school helps feed hope and a belief in our American ideals rather than hatred and radicalism toward our Nation. The American farmer and rancher do provide stability in a chaotic world, and in doing so national security as well.

Show me a country that can't sustain itself in terms of food supply, I will show you chaos. Read about the Mideast, Syria, Libya and what is going on over in that part of the world. So the farm program is not only a farm program, it is a program to achieve stability in the world because of the productivity of the American farmer, and our ability to do it is also a national security program.

Every year America's farmers produce more on less land using less water and fewer inputs with ever-stronger conservation practices. It is truly a modern-day miracle what the agricultural sector in America does today.

I understand some are unhappy with some of the proposals put forward in this bill. It is a farm bill. I wouldn't expect it to be any different. But I can assure you, however, if I thought we were in any way writing a bill that would make it more difficult for my State of Kansas or for the State of Michigan or any American producer to feed this Nation and this world, a bill that eliminated their safety net which destroyed their ability to protect our natural resources while also feeding the most needy in our country, I would not be standing here today supporting it. I would not do that.

If I thought it in any way could keep us from feeding 9 billion people—note that, 9 billion people who will walk this Earth in just a couple of short decades—I would oppose this bill. We are going to have to double our agricultural production to help in a humanitarian way and prevent chaos all around the world, 9 billion people.

Agriculture is the backbone of the Kansas economy, employing more than one in five Kansans. More than 65,000 farms dot the Kansas landscape with an average land size of 705 acres. These farmers and ranchers do a tremendous job of feeding a troubled and hungry world. In fact, Kansas ranks No. 1 in the Nation in the production of wheat and grain sorghum, second in cattle farms, and third in sunflowers produced. We expect that, being the Sunflower State. Cash receipts from farm marketings were greater than $12 billion, and farm product exports were in excess of $4.8 billion.

Farmers and ranchers in my State truly help feed—what we have said again and again—a troubled and hungry world, which is why I am proud of this legislation. We have worked hard to put this together. It may not be the best possible bill, but it is the best bill possible given the circumstances we face. We have performed our duty to taxpayers by cutting deficit spending while at the same time strengthening and preserving the programs so important to agriculture and rural America.

Again, we have cut mandatory spending by $23.6 billion. We have reformed, eliminated, and streamlined USDA programs to the tune of more than 100 programs and authorizations eliminated. And we have done it on a voluntary basis because in rural America you make the tough decisions. When the going gets tough, the tough get going, and you do what is right when it needs to be done. When we have done it in a bipartisan fashion, that is the best way to do it.

How many times have we heard this: What on Earth is wrong back there? Why can't you join together and work together and do what is right for America and for the people? This is what this committee has done under the leadership of the chairwoman.

So I thank the chairwoman for bringing us to this point today, and let's pass this farm bill. It is good for the country, it is good for the world, it is a good bill, and we need to proceed.

I hope every Member could vote for the motion to proceed. If they have amendments they are interested in, please come to us. It is like Bob Barker said: Come on down. Come on down and talk to us. If you have a problem with the bill, we will work with you. Just let us know. OK.

Mr. President, I ask unanimous consent the distinguished Senator from Tennessee, Mr. ALEXANDER, be recognized for 10 minutes when he appears on the floor. I thought he would be here by this time but he is not. At the appropriate time, I ask unanimous consent that he be recognized.

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

Mr. ROBERTS. Mr. President, I yield the floor.

Ms. STABENOW. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New York.

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

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

Mrs. GILLIBRAND. I want to begin by taking this opportunity to thank the chairwoman and ranking member of the Agriculture Committee for their very strong efforts in getting this bill to the floor today. Their steady hand of leadership has made vast improvements for America's agricultural community and our economy as a whole. I know the tireless effort of our chairwoman and her staff undoubtedly leave America's farm policy in a stronger position than when she found it, and I know she has worked with a forward-looking vision for a thriving agricultural economy and rural community.

I also thank the chairwoman and the ranking member for working with me and all the members of our committee throughout the process that got us here today. Because of this strong work, I am urging my colleagues to vote for cloture on the motion to proceed to this bill.

When I first came to the Senate 3 years ago, I became the first member from my State of New York to serve on the Senate Agriculture Committee in almost four decades. It is a responsibility I not only honor but I take incredibly seriously. For those 3 years I traveled all across our great State. I met with our farmers in their communities, listened to their concerns, and I understand their needs and priorities.

New York is not home to the corporate megafarms. We are home to small dairy farms, specialty crops, orchards, and vineyards. As we have been shaping and debating this farm bill, those are the farms, the small businesses I have been fighting for.

I am very grateful this bill will help our specialty crop growers by providing them with a dedicated funding stream as well as a better way to protect against disasters. I am also very proud of the good work with broadband investments to make sure our rural communities have access to the Internet. We also worked hard on trying to guarantee more transparency and accountability on how we price milk in this country.

But we cannot forget this bill is much more than a number of esoteric figures. What this farm bill should be about is how we protect and create a growing economy for small businesses, agricultural businesses, the middle class, and those families who are desperately trying to get there.

The farm bill is about the health of the agriculture industry. It is about the health of our families with nutritious food that is actually within reach of the children who need it.

As a mother, I am very concerned this current farm bill cuts $4.5 billion from the Supplemental Nutrition Assistance Program, SNAP—better known as food stamps—over the next 10 years. I am incredibly disappointed, and even troubled, that my Republican colleagues are seeking to cut food stamps even more from those cuts.

Under this bill families in New York who are already struggling will lose $90 a month of food that goes on their tables. Think of food for a family for a long month. It is basically the last week that a family will not have

enough food to feed their children. Now, $90 a month may not seem like a lot of money to some people, but I can say for those parents who are trying to protect their children and feed them good, wholesome, nutritious foods, it means everything in the world.

I don't know for any parents who are watching today whether they personally ever heard their child say: Mommy, I am still hungry. Well, imagine not being able to help your own child or future child. Imagine that your child says this every single day. That is what we are faced with here.

I have heard stories from New Yorkers who never dreamed they would need food stamps in their lifetime, who never imagined they would have no choice but to apply for this kind of Federal assistance. I heard from one single mom in Queens. She had a job in a supermarket, but she still struggled to make ends meet. She broke down in tears one day when her son came home from school with his school lunch in his hand and said: Mommy, I brought this home for us for dinner, and I asked my friend for his sandwich.

Another woman in Brooklyn, incredibly well educated, went to a prestigious university, but lost her job. She said:

> I never thought I would be getting food stamps. But suddenly I was jobless and did not know where my next meal would come from. Food stamps played a big role during make-or-break moments in my life. They are not a handout. I worked all my life, paid my taxes and food stamps helped me get back on my feet again.

As a mother, as a lawmaker, watching a child go hungry is something I will not stand for. In this day and age, in a country as rich as America, it is unacceptable and should not be tolerated and should certainly not be advocated. I know not every State in this country has as many people as we have in New York. We have 20 million people in our great State. So with these cuts, it is going to affect 300,000 families. Imagine 300,000 families in your State or any State going hungry at night. These kinds of cuts hurt children and families. They hurt seniors who are homebound and don't know where their next meal is going to come from.

We are asking these 300,000 families to take a disproportionate amount of the burden. They were not the cause of the financial collapse. They were not the cause of this terrible economy, but we are asking them to bear the burden.

We know food stamps are actually a very effective investment. For every dollar we put into the Food Stamp Program, we get $1.71 of spending back into the economy. World famous economist Mark Zandi said:

> The fastest way to infuse money into the economy is through expanding the SNAP/food stamp program.

This money pays the salary of grocery clerks and truckers who bring food to a store from the farm. The USDA estimates that 16 cents of every one of these food stamp dollars goes right back to our farmers. Despite widespread myths and inaccuracies, there is so little fraud in SNAP. It is less than 1 percent. That is a penny on a dollar.

I take our Nation's debt and deficit as seriously as anyone else in this Chamber. I applaud the chairwoman and the ranking member for being able to curb spending, but families who are living in poverty, who are just trying to figure out how to keep the lights on and put food on the table did not spend this Nation into debt, and we should not be trying to balance the budget on their backs. Subsidies for large corporations that don't need it—including companies based in Bermuda, Australia, Switzerland—is not the right priority for America. We should be helping the most needy among us, our children, our seniors, and our families at risk.

So today I am introducing an amendment to restore the $4.5 billion in cuts because it is the right thing to do. It is the right thing to do for our families, our seniors, and our kids. It is the right thing to do for our economy. It invests $500 million over 10 years in a fresh fruits and vegetables snack program, which connects our kids to our farmers. It gives the authority to the Secretary of Agriculture to make additional purchases as part of the Emergency Food Assistance Program. It is useful when we have an all-time high rate of hunger and unemployment that puts unbelievable demands on these emergency feeding organizations.

To pay for these investments in our children's health and the health of the economy, my amendment makes a modest reduction in government subsidies to some of the most highly profitable companies. My amendment lowers the subsidies to companies from billions per year to hundreds of millions per year. Anyone who argues that these companies will struggle from this shift needs to meet a family who is dependent on food stamps to feed their children.

As I said earlier, this farm bill, like all legislation, is about our priorities. It is a reflection of our values. So I am asking my colleagues, let's agree children deserve healthy meals so they can live healthy lives and learn and grow and reach their God-given potential. Let's agree it is a worthwhile investment in our future to make sure children do not go hungry in this country.

I yield back my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called 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.

Mr. BAUCUS. Mr. President, Abraham Lincoln was no stranger to agriculture. He spent most of his early years on farms. Many years later, he signed into law legislation that created the Department of Agriculture, which just recently celebrated its 150th anniversary. President Lincoln understood American agriculture.

He said:

> The man who produces a good full crop will scarcely let any part of it go to waste. He will keep up the enclosure about it, and allow neither man nor beast to trespass upon it. He will gather it in due season and store it in perfect security. Thus he labors with satisfaction, and saves himself the whole fruit of his labor.

Those timeless words ring true today, and they will ring true tomorrow. American farmers and ranchers are the most productive and efficient in the world. Their hard work creates good-paying jobs in Montana and across the Nation. In fact, one in five Montana jobs is tied to agriculture.

But President Lincoln's observations also apply to many other walks of life, including work in the Senate. Under the leadership of Chairwoman STABENOW and Ranking Member ROBERTS, we have cultivated a farm bill for tomorrow. We must not let that hard work go to waste. They have worked very hard, very closely together, cooperating. It is a good farm bill.

This legislation achieves what many thought impossible: It creates a market-oriented safety net that works for American farmers, strengthens crop insurance, and streamlines conservation programs, while still contributing $23.6 billion to deficit reduction. That is right. This reduces the deficit by about $23.6 billion. That is over 10 years.

Direct payments have their place in farm program history, but in light of necessary spending reductions, it was clear we could not continue with the status quo. So the Senate Agriculture Committee worked closely with farmers and ranchers across the country to create a program for a real safety net—one that only pays farmers who actually experience a loss.

Farming is an extremely capital-intensive industry, and our farmers often work with paper-thin profit margins. Even the best farmer is left at the mercy of chance—historic droughts, catastrophic floods, price collapses, and so much more. This new revenue program will make sure there is stability and predictability for our farmers from year to year.

Our comprehensive farm policy contributes to overall security in American agriculture. That is why we spend less on food than any other country in the world. Americans spend less than 7 percent of their disposable income to feed their families—7 percent—compared with almost 25 percent in 1930.

But it is more than just food security. As a net exporter of agricultural products, Montana farmers and ranchers create good-paying jobs and quite literally grow wealth and prosperity from our fertile soils.

The shallow-loss revenue program, combined with the same crop insurance products we have fine-tuned over the decades, creates a fiscally sound safety

net. This is the fruit of our labor, and we must keep this intact.

We improved much more than just the commodity title. We saved $6 billion in the conservation title without compromising the policy. We did this by consolidating 23 existing programs—consolidating them all together—creating a tight network of efficient and streamlined conservation programs.

I made sure we protected the working lands programs, which contribute to substantial conservation improvements but still allow for productive use of the land.

For livestock, I made sure we extended and made permanent the livestock disaster programs that I worked hard to include in the last farm bill. Since they were created in 2008, the three livestock programs have helped over 100,000 ranchers across the country.

Right now, we are experiencing historic droughts in regions of the United States that also produce much of our beef. The livestock disaster programs will help those ranchers stay in business until the rain starts falling again.

In the forestry title, we permanently authorized stewardship contracting. This is very important. This will help the timber industry sustainably harvest more trees. This permanent authority is critical for reducing wildfire risk and maintaining resilient landscapes and communities throughout our country. As I advocated prior to markup, these returns are well worth the small investment. It can keep companies such as F.H. Stoltze, which is celebrating 100 years in operation in Columbia Falls, MT, in business for another 100 years.

I also was pleased with the inclusion of a workable approach to the bark beetle epidemic spreading throughout Montana and the West. My colleague from Montana, Senator TESTER, has also worked to remedy this epidemic.

Our loggers and small timber mills in Montana are facing the second worst beetle kill in the lower 48, a Forest Service tied up in lawsuits, and a housing market that continues to drag. Sawmills such as those owned by R-Y Timber in Townsend and Livingston will benefit from the approach we take in this farm bill.

I was also very proud of the work the committee did for veteran farmers and ranchers. Not only did the committee accept my amendment to expand access to conservation programs to veterans, but it also will direct USDA to set up a military liaison position.

These strides to extend assistance to veteran farmers and ranchers are vital to our returning Iraq and Afghanistan veterans who hope to return to rural America and become involved in agriculture. Forty-five percent of those who serve in the military come from rural communities.

The farm bill provision makes it clear that both efficient authorities and adequate resources are crucial for this effort, and I am committed to enacting legislation that enables the decisive and responsible action that is urgently needed.

There is a lot of talk on Capitol Hill about creating jobs and cutting debt. The farm bill is our jobs bill. It is also responsible to taxpayers. If we Senators were farmers, I would say we have produced a pretty good crop with this bill. But that is not the final step. All farmers know there is a time for harvest.

Now is harvest time. It is time to pass this farm bill. If we wait too long, we run the risk of compromising the stability of American agriculture and our food supply.

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. KYL. 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. KYL. Mr. President, I ask unanimous consent to speak as in morning business for up to 12 minutes.

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

AMERICA'S FISCAL CLIFF

Mr. KYL. Mr. President, let me speak today about two recent CBO reports and what they portend for the economy and for policy that we might want to make in the Congress. CBO, of course, is the nonpartisan Congressional Budget Office, and from time to time it looks at economic conditions and presents studies or issues reports about the state of our economy based upon legislation the Congress has adopted.

There are two recent reports that I think suggest some very dire news for this country unless we in the Congress are willing to take some action. The first was a couple of weeks ago, and it dealt with the so-called fiscal cliff, the problem that will occur with the combination of two things automatically happening unless Congress and the President act.

The first is the automatic across-the-board cuts or sequestration that will affect both defense and nondefense spending to the tune of $109 billion next year, something which the Secretary of Defense has said would be ''devastating'' and ''catastrophic'' for our national security. That is the first problem. The Congressional Budget office said the combination of the sequestration with the second item, which is the automatic tax increase, which is a $4.5 trillion tax increase that begins on January 1, the combination of those two will put this country back into recession.

CBO projected the growth rate next year to be only about one-half of 1 percent. That, of course, is devastating for not just the economy but for job creation, for businesses, for families and the like.

The second recent report of the CBO just came out. It is a report that talks about the surging debt of the United States Government and talks about the probability of sudden fiscal crisis. So we have a combination of the potential for going back into recession, combined with the probability of sudden fiscal crisis because of the amount of debt the Federal Government is taking on.

Because this second report just came out, let me refer to some things that have been said about that, primarily in the Wall Street Journal in a piece on June 5 called ''Obama's Debt Boom.'' I will just quote a few lines from this editorial in the Wall Street Journal. It says:

> The CBO's long-term budget outlook notes that Federal debt held by the public—

That is the part we have to pay back—

> will surge to 70 percent of the economy by the end of this year.

Which is the highest in the history of the country except during World War II.

I think that is about $49,000 or $50,000 for every man, woman, and child in the United States. They point out that under the present trend the debt will hit 90 percent of GDP by 2022. Then it balloons to 109 percent by 2026.

What does this mean in practical terms? Here is a quotation from the Wall Street Journal about the CBO projection:

> We have never been deficit scolds, preferring to focus on the more important policy priorities of economic growth and spending restraint. But the Obama era is taking America to a place it has never been. Inside of a decade the country will have a debt-to-GDP ratio well into the 90 percent to 100 percent danger zone where economists say the economy begins to slow and risks mount.
>
> CBO notes . . . that this level of debt increase increases the probability of a sudden fiscal crisis, during which investors would lose confidence in the government's ability to manage its budget and the government would thereby lose its ability to borrow at affordable rates.
>
> How bad is it? In the absolute worst-case scenario, CBO says debt would exceed 250 percent of GDP in 2035. At that point, CBO's economic model breaks, because so much debt is so far outside ''historical experience'' and the CBO's ''assumptions might no longer be valid.''

That is where we are headed if we don't do something about it.

Interestingly, what CBO assumed in order to reach these conclusions is that tax collections would continue to hold to the post-1972 historical average of 18 percent of GDP. The point is we are not talking about raising taxes in order to effect this. They are assuming we will have revenues of a historical level of 18 percent of GDP. The problem is not the tax collections; in other words, the problem is the excess spending. They point out that, of course, excess spending is primarily a factor of the entitlement programs—Social Security, Medicare, and Medicaid. They point out that the biggest of all those is in Medicare.

Then the Wall Street Journal concludes this way:

This is where the tax burden comes in, and on that score CBO admits that ''to the extent that additional tax revenues were generated by boosting marginal tax rates—

This is what President Obama proposed, remember—

those ''higher tax rates would discourage people from working and saving, further reducing output and income.'' So even the Keynesians who dominate CBO admit that there are costs in lower growth . . .

If they raise tax rates as the President has proposed.

This is, in effect, the most predictable crisis in history. So we have the combination of the CBO report talking about the fiscal cliff—what happens if both the sequestration and the automatic tax increases go into effect—combined with the most recent report about the debt, and we can see the United States is headed for a disaster without intervention by the Congress and the President.

Just one thing. The Director of CBO put it this way:

The explosive path of Federal debt . . . underscores the need for large and timely policy changes to put the Federal Government on a sustainable fiscal course.

What has the President and the Democratic majority in the Senate suggested? We turned to Jay Carney, who had a press conference Monday. He is the spokesman for the President. He said that ''the President is continuing to work with his team on potential new ideas.''

I would like for him to work with the Congress because we have had a lot of ideas. The House of Representatives passed almost 30 bills that deal with this, and they range all the way from the Keystone Pipeline, which immediately puts 20,000 people to work, easing environmental regulations, offshore oil exploration, and so on. So we would love to have him work with the Congress, rather than this anemic to-do list he has proposed, which, obviously, would not provide any relief.

The bottom line is that as was reported in a story by the Associated Press, by Andrew Taylor, I think. As he said, after talking about the bills passed by the House of Representatives: ''Democrats will try to stop Republicans from forcing a vote on it in the Senate.''

What he is talking about is the vote the House of Representatives intends to have before long that would extend the current Tax Code, so there is certainty in tax rates, and businesses and families don't have to worry about this $4.5 trillion tax increase. The Democrats will try to stop Republicans from forcing a vote on it in the Senate.

Why would the Democratic leader not want to have a vote on whether to extend the current tax rates as opposed to having an increase in taxes of $4.5 trillion? Actually, there are a lot of folks—leaders in the President's party, people who have worked with him—who have said it would be a good idea to extend those tax cuts. In fact, the President himself said so when he extended them for 2 years, along with the support from Congress, on December 1 year ago. He said not to do so would harm economic growth. He was exactly right then, and he is right now.

As a matter of fact, we had a better GDP growth back then than we do now. If that would have been harmful then, it would be more harmful now. His belief then is adhered to by people who have worked with him and former leaders. For example, former Democratic President Bill Clinton suggested Tuesday—yesterday—that Congress temporarily extend all the Bush-era tax cuts. That includes the tax cuts for the wealthy. Remember, the Bush tax cuts applied across the board. They applied to everybody. The President has said that is fine but not for the wealthy.

What President Clinton said is, no, the best thing would be for all of those tax cuts to be extended. I will quote what the former President said:

What I think we need to do is to find some way to avoid the fiscal cliff, to avoid doing anything that would contract the economy now.

He was asked if that meant extending tax cuts, and he said:

They will probably have to put everything off until early next year. That's probably the best thing to do right now.

Then the President's former adviser, who is an economics professor, Larry Summers, said today that Congress should temporarily extend the Bush-era tax cuts. He said:

The real risk to this economy is on the side of slowdown . . . and that means we've got to make sure that we don't take gasoline out of the tank at the end of this year.

He said that on MSNBC's ''Morning Joe'' program. He said: ''That's gotta be the top priority.''

So here you have Larry Summers, former adviser to President Clinton on economic matters, and former President Bill Clinton, both of whom have said we need to extend these tax policies today in order to avoid further damage to our economy tomorrow—exactly what the President himself said when these tax rates were extended a year and a half ago.

I just note this from another Associated Press story regarding the comments by President Clinton. As they say:

The nonpartisan Congressional Budget Office and others have warned that letting both events occur—

That is to say, the sequestration and the automatic tax increases—

would suck so much out of the economy that it could spark a renewed recession next year.

That is when they refer to the statement of President Clinton that we need to find a way to avoid that fiscal cliff and that would include extending the tax cuts.

The reality is we have somewhat of a consensus beginning to develop that it would be a wise thing for the country to retain current tax policies and not allow this big tax increase, to avoid the sequester or the across-the-board cuts that otherwise would affect both defense and nondefense; and if we don't do those things, according to CBO, the nonpartisan office that advises the Congress, we are likely to go back into a recession with growth that would be only one-half of 1 percent of our GDP next year.

Let me conclude by referring to another article in the Wall Street Journal, dated June 5, entitled ''Defense Chiefs Signal Job Cuts.''

Here we are talking about the employers of people in the defense industries that are predicting that if we don't do something about sequester, they are going to have to begin laying off people. The article begins with this quotation:

U.S. defense contractors are preparing to disclose mass job cutbacks ahead of November elections if Congress fails to reach a deficit-reduction deal by then, industry officials said.

One of the people quoted is Robert Stevens, chairman of Lockheed Martin, a big contractor with the Defense Department. He said:

It is quite possible that we will need to notify employees in the September and October timeframe that they may or may not have a job in January, depending upon whether sequestration does or doesn't take effect.

One of the reasons is a Federal law that requires employers to provide this notice—the Worker Adjustment and Retaining and Notification Act, known as the WARN Act, which requires companies to notify employees in advance of mass layoffs or plant closings—if they have more than 50 or more employees, for example. One thing Mr. Stevens said is that it doesn't just affect the big companies such as his but also all these suppliers, people who have to provide the pieces or components of products that they end up putting together. They would have to be notified because they are not going to have subcontracts next year.

One of the industry officials said sequestration is already here. What he meant by that was the reality is that businesses are having to make decisions now. This talk in the Senate about we will somehow be able to deal with this in the lameduck session after the election is simply not true. I suggest to my colleagues in the House and in the Senate that if we try to wait until after the election, I think our constituents, knowing what is happening—some of whom will probably have gotten job notices that they may be subject to termination because of the automatic across-the-board cuts, known as sequester—I think they may be sending a message to us this fall and, therefore, it behooves us to act before rather than after the fact.

There has been talk today about what the Wisconsin recall election meant. I think one thing it must have meant is that people may complain about some of the decisions that are made when there are tough decisions, but they want people who are elected to do something about the problems, to act, have some courage, tackle the

tough problems. Even if they don't totally agree with the solutions, I think they respect political leaders who are willing to do that. Scott Walker, the Governor of Wisconsin, took a lot of heat, but he took the bull by the horns and tried to solve a problem and, as a result of the things they were able to do, the fiscal situation in Wisconsin is much better than had they not taken those actions.

That is what we in Congress need to learn. The people understand we have a big debt crisis facing us, which is confirmed by the Congressional Budget Office. They understand there is a huge risk of another recession because of the twin problems of the biggest tax increase in the history of the country coming our way January 1 and this sequestration that also occurs on January 1. They would like us to do something about that. I think what they resent is politicians saying after the election we will take it up and begin thinking about it. First of all, that is too late for a lot of people whose jobs depend upon it, and it makes for a very inefficient way of running the government.

Secondly, I think political leaders owe their constituents the ideas they would like to put into effect. We don't wait and hide the ball from our constituents, refusing to tell them what we think until after the election. The idea of a democratic republic is people stand for office by saying: This is what I would do to solve our problems. Do you like it or not? If the voters say, yes, we think that is a good idea, they elect us and expect us to follow through on it. If they don't like our ideas, they elect the other person. But if we hide the ball and say we are not going to take votes in the Senate because we don't want to put Members on record because then the voters might know what they are thinking and they might not like it and not elect them, that is obviously a lack of political courage. It also runs counter to what the fundamental concept of elections is all about.

I suggest that what we ought to do is tackle these two issues now, not wait until after the election. Legislation has been introduced in both the House and the Senate to find a way to save the $109 billion that needs to be saved in order to avoid the sequester for next year. This process will have to be undergone, undertaken, every year for the next 10 years because we have promised the voters we would save a total of $1.2 trillion.

So how will we do it next year? Well, there are any number of ways. Senators MCCAIN, AYOTTE, myself, CHAMBLISS, GRAHAM, and CORNYN, and some others have introduced legislation that says, well, here is a way you can save the $109 billion next year: Get half of it by simply extending the President's own pay freeze for many Federal employees through the middle of 2014, and the other half, instead of replacing every single Federal worker who retires or leaves the Federal workforce, only replace two out of the three.

Everybody talks about how wonderful the recommendations of the Simpson-Bowles Commission were. Well, the Simpson-Bowles Commission recommended hiring one new Federal employee for every three who leave the workplace. We double that. We say, well, let's hire two of the three back. The combination of just those two things would result in saving $109 billion.

If you don't like that way to save money, there are many other ways to do so, and there are revenues from the sale of Federal property, for example, that could also be put on the table. So there are many ways to do this. But let's get about it.

Why aren't we doing it? Well, the majority leader and the President say the only way they would consider doing this is if we also raise a bunch of taxes, and their wonderful idea about raising taxes is a tax on millionaires. Here is the problem with that. The very people we want to create the jobs are the businesspeople who pay these taxes.

According to President Obama's Secretary of the Treasury, that Department says 80 percent of the people who would be subject to this millionaires' tax are business owners—the very people who need the money to hire the workers to put the economy back in good shape.

When Senator LINDSEY GRAHAM asked Defense Secretary Panetta: Wouldn't sequestration be like shooting ourselves in the foot, he said: No, Senator, it would be like shooting ourselves in the head.

I submit that raising taxes on the exact people to whom we are looking to create jobs is the same thing. That is the reason Republicans have said that is the wrong way to come up with this $109 billion.

The whole idea of the Budget Control Act was to control spending, not to raise taxes. Since there are so many ways in which this government's $3 trillion-plus budget can save money, I don't think we have to turn to something that would itself have a negative impact on economic growth; namely, raising taxes. So that has been the reason this hasn't been taken up.

One side insists we have to raise taxes in order to deal with this sequestration problem. The other side says: No, we don't have to do that at all. Let's sit down and work together and find a resolution for this problem, and let's get it done before the end of the year. At that point it is too late for a lot of people who will have lost their jobs.

By the way, some of these industry people have told us some of the sole-source suppliers or subcontractors would probably end up taking bankruptcy because their orders could not be filled due to the uncertainty that a contract was there. So we could have a great deal of damage to the economy.

In fact, the estimate is—if sequestration or across-the-board cuts occur—in the Defense industry alone we are talking about 1 million jobs lost. Remember how many jobs were created last month? I think it was 69,000 jobs were created last month. Compare that to losing 1 million jobs, and you can see the significance of what the Congressional Budget Office was talking about. This is a fiscal cliff.

We cannot allow sequestration to occur, and we cannot allow these big tax increases to occur without understanding the damage that will do to the economy. They said it is going to put us back in a recession. That is before the report they just released on the increasing debt burden of this country.

So, Mr. President, I say to my colleagues, the evidence is here. Leaders such as former President Clinton and economist Larry Summers and, of course, many other economists have said the best thing to do is to keep the tax rates where they are. Don't raise them. Resolve this sequestration issue so we don't have that hanging over our heads, and then look for other ways to boost job growth and economic productivity. That is the way to get out of the recession. That is the way to help families. Ironically, at the end of the day, a growing economy, producing more wealth, produces more tax revenues for the Federal Government, and that helps us deal with the big debt we have accumulated.

So I think everybody agrees economic growth is ultimately the best way to get out of the government's fiscal problem. But it also, of course, is precisely the way for businesses and families to prosper.

I hope colleagues in both the House and Senate—both Democrats and Republicans—can see their way clear to respond to this crisis—this utterly predictable crisis—and to deal with this problem sooner rather than later, exercising the courage our constituents would like to have us exercise and thereby representing them in the way they deserve to be represented.

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

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

The legislative clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I am here today to talk about the 2012 farm bill and the importance of moving forward with this important legislation.

First, I wish to acknowledge the incredibly hard work of Chairwoman STABENOW and Ranking Member ROBERTS and their commitment to producing a bipartisan bill that cleared the Agriculture Committee this April with a strong bipartisan vote.

The Agriculture Committee is a successful model of how we can work

across the aisle on tough problems to get work done. It always has been. This cooperative effort was not on a small or merely symbolic issue but on a major piece of legislation that impacts every single American. Throughout the process, this committee has faced unprecedented budget challenges, as has our country, but under Chairwoman STABENOW's leadership, the committee has worked together on a bill that makes tough choices, works within a budget to provide $23 billion in deficit reduction, and preserves the core programs that are important for Minnesota and other States across the country.

I believe this carefully crafted bill finds a good balance between a number of priorities, and I urge Members of the Senate to continue to work together in the same spirit that was exemplified in the Agriculture Committee to complete work on this bill as quickly as possible.

I have spent the last year going all around our State; I have talked to farmers and businesses across Minnesota. No matter where I go, I am always reminded of the critical role farming plays in our State's economy. We are 21st in the country for population, but we are 6th in the country for agriculture. It is our State's leading export, accounting for $75 billion in economic activity and supporting more than 300,000 jobs. It is one of the major reasons our unemployment rate is at 5.6 percent—significantly better than the national average—and that is because we have had consistent farm policy coming out of this Chamber, out of Washington, DC—and you can't say that in every area of industry—consistent policy coming from the government over the last decade. That must continue because it doesn't just help our farmers on the front line, it feeds into many industries, and it certainly feeds into agricultural exports.

Our State is No. 1 in turkeys in the United States of America—a fact you might not have known. We are No. 1 for green peas and sugar beets. We are also home to Jennie-O turkey and Del Monte vegetable processing facilities, just to name a few. We are No. 1 in spring wheat and also home to a rich tradition of milling. We are No. 3 in hogs and soybeans and also home to pork processors and biodiesel plants. We are No. 4 in the country for corn and also home to 21 ethanol plants that produce over 1 billion gallons of ethanol every single year, and that is one of the major reasons our country has reduced our dependency on foreign oil from something like 60 percent 5 years ago to the mid-40s now. That is an incredible record. It has to do with oil drilling in North Dakota, it has to do with better gas mileage in our cars and trucks, but it also has to do with biofuels.

Minnesotans in rural communities and larger cities all benefit from a strong farm economy that provides jobs on the farms, in mills, and processing plants, equipment manufacturers—another key export for the United States of America—and a diverse range of high-tech jobs in today's modern agriculture. That is why there is so much at stake in this 2012 farm bill and why it is so important for us to finish with a strong and effective bill that gets the job done for America's farmers and for our rural economy.

It is no secret that during each step of the process, we have been working within a tough budget climate, but that doesn't mean the goal of maintaining a strong farm safety net or a safe, nutritious, and abundant food supply is any less critical. The last thing we want to do is be dependent on foreign food the way we are dependent on foreign oil—even though we have seen improvement. We do not want that to happen with foreign food.

How have we done this to get $23 billion in cuts? The first thing that is important for people to understand who are not from rural areas, who are from metro areas—my State has both—or States that are more urban focused is that only 14 percent of this farm bill is farm programs. It could have had a different name, but a lot of people call it the farm bill. It is only 14 percent. The rest is conservation, nutrition programs, school lunches—you name it. While only 14 percent of the farm bill is farm programs, nearly two-thirds of the cuts over last year are on that 14 percent. Nearly two-thirds of the $23 billion in cuts—nearly $16 billion—is cut from farm programs, which are only 14 percent of the farm bill.

I heard from many producers in Minnesota as we dealt with how we are going to get rid of direct payments I have long advocated. We had huge floor fights last time on some reform to the farm payment system. I thought we needed to make some changes there and get that number down in terms of the money that can be spent in the income, but now we have actually eliminated direct payments. So that is why the crop insurance part of this bill becomes even more important.

The bill also continues the Sugar Program, which is important to our country—tens of thousands of jobs across the country, tens of thousands of jobs in the Red River Valley in Minnesota and North Dakota—and also helps to ensure that we have a strong domestic sugar industry.

The bill also simplifies the commodity programs by eliminating a number of programs and replacing them with the Agriculture Risk Coverage Program which complements crop insurance by providing protection against multiyear price declines.

The bill also protects the conservation programs we need. It helps our agricultural producers keep our soil healthy and our water clean. Our State is No. 5 in the Conservation Reserve Program, No. 3 in the Environmental Quality Incentives Program, and No. 1 in the Conservation Stewardship Program. Specifically, I have worked to ensure that local communities also have the tools they need to address conservation challenges. Conservation groups, from Ducks Unlimited to Pheasants Forever, know how important the farm bill is, and that is why over 640 conservation groups are supporting the committee's work on the farm bill.

The committee-passed farm bill also preserves the essential nutrition programs that millions of families and children rely on every day. Importantly, this bill avoids the radical cuts to nutrition programs and school lunches that would have been proposed in other budgets.

This bill also includes a number of amendments that I authored, including an amendment that will help beginning farmers and ranchers better manage their risk and access land as they get a start in agriculture. We need to make sure that we have a next generation of farmers and ranchers, that it just does not end here.

Beginning farmers face big obstacles, including limited access to credit and technical assistance and, of course, the high price of land. During committee markup, I introduced an amendment with Senator BAUCUS that helps beginning farmers purchase crop insurance by increasing their help 10 percent for the first 5 years. I believe that people who grow our food deserve to know their livelihoods cannot be swept away in the blink of an eye, either by market failures or by natural disaster. That is why strengthening crop insurance for our beginning farmers is a priority.

I also worked to include an amendment—with Senators JOHANNS, BAUCUS, and HOEVEN—to allow beginning producers to use CRP acres for grazing without a penalty. I believe this will go a long way, again, in building the next generation of farmers.

As an original cosponsor of the Beginning Farmer and Rancher Opportunity Act, which was introduced by Senator HARKIN, I also fought for the mentoring and outreach provisions for new farmers and training in business planning and credit-building—the skills they need to succeed and stay on the land.

Homegrown renewable fuels have helped us reduce our share of dependence on liquid fuels. I believe we can continue this trend. As I mentioned, we have seen an enormous shift in our dependence on foreign oil. Much of that has to do with biofuels, now 10 percent of our fuel supply in this country, as we work to make it more and more fuel efficient, use less water, transition to cellulosic. What we do know is that we should be focusing on the workers and the farmers of the Midwest and not the cartels of the Mideast. That is what helped reduce our foreign oil dependency in the last few years, as well as the drilling I mentioned before.

I also cosponsored the amendment introduced by Senators CONRAD and LUGAR to provide funding for the energy title. This is key in this farm bill.

I know we have all heard from farmers and ranchers in our States about the importance of passing a 5-year farm bill. Think about the work that is done in Congress. Every business says: We need a longer time period, we need consistency for our tax credits, and we need to know what is happening. This is one area where we have actually done it. We have done this with the farm bill over the last decade. The last two farm bills with 5-year windows have been fairly consistent. We have an opportunity to do it again and still save $23 billion on the budget, still make sure those nutrition programs are there for our kids, still make sure the most vulnerable among us can be fed and not go hungry, and still make sure those vital conservation programs are there for this country.

There is a reason agriculture has been able to keep its head above water in these difficult times. A lot of it has to do with consistent policies. That is one of my main messages to my colleagues. We have one of the stars in terms of exports coming out of this farm bill. That is one of the main reasons it is so important, because we not only are growing food for the people of this country, we are feeding the world, and we are keeping the jobs in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

U.S. INNOVATION

Mr. ALEXANDER. Mr. President, it was a pleasure to hear the Senator from Minnesota speak on the farm bill. I congratulate Senator ROBERTS and Senator STABENOW for their hard work, as well as the Senator from Minnesota. I would like to take 10 minutes to speak on a related matter.

American agriculture is an area where we lead the world with innovation. I want to talk about innovation of a different type, and I want to refer specifically to a May 20 column in the New York Times by Thomas Friedman that caught my attention.

I ask unanimous consent that following my remarks, Mr. Friedman's column be printed in the RECORD.

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

(See exhibit 1.)

Mr. ALEXANDER. Mr. Friedman said he had just returned from Seattle, where he saw a stunning amount of innovation. He said it filled him both with exhilaration and with dread. The question is, Is the United States prepared to deal with the innovation we may be seeing around the world over the next decade?

Yesterday I heard Robert Zoellick, the retiring President of the World Bank, brief a number of us about the problems we are going to have at the end of the year and whether the U.S. Congress and President can rise to the challenge of governing so we can show the rest of the world we are capable of that. Mr. Zoellick says he travels a lot—that is an understatement given his reputation and the jobs he's held over the last 20 years—and he said that two-thirds of global growth over the last 10 years has come from developing countries and that advanced countries, such as Japan, and Europe and, to some extent, the United States have been stagnant or drifting. Mr. Friedman's column says that we should try to remember the things that made us great and preserve as many of those as we can. He said we need a plan, and then he suggested what he called a magic combination: No. 1, immigration of high-IQ risk-takers, as he called them; No. 2, government-funded research; and No. 3, cutting-edge higher education. That was the plan. That was the magic combination.

He said:

> This is not a call to ignore hard budget choices we have to make. It's a call to make sure that we give education, immigration and research their proper place in the discussion.

My purpose as a Senator, as a Republican Senator, is to say that I believe he is exactly right. No. 1, I believe that is the right plan—or at least the beginning of it; No. 2, I believe there is more going on in the direction that he recommended than most people know; and No. 3, I believe that finishing the work on what needs to be done to implement the plan he outlined is perfectly obvious and well within our grasp. Let's take the ideas one by one.

First, the idea, as he called it, of immigration of high-IQ risk-takers—we call this ''pin the green card on the STEM graduate.'' This idea is supported, I would judge, by most Members of the Senate. Each year 50,000 of the brightest students in the world are attracted to our great universities' graduate programs in science, technology, engineering and mathematics, and then each year we send 17,000 of those graduates in science, technology, engineering, and mathematics back home. We make them go home so they can create jobs in the countries they came from rather than in the United States.

A number of us have introduced legislation to change that. It came from a recommendation from legislation called America COMPETES, which passed first in 2007 and was reauthorized in 2010. This was legislation sponsored by the Democratic and Republican leaders that had 35 Republican sponsors and 35 Democratic sponsors, and it included the 20 things a distinguished group told us we should do as a Congress to help America compete in the next generation. We have done two-thirds of them. One of the priorities was to double the federal funding for general scientific research over 10 years, and we've made some good progress in that direction.

Part of the unfinished agenda is the idea in America COMPETES of pinning a green card on the science, technology, engineering, and management graduate. There are at least six proposals before the Senate today—one sponsored by Senator COONS and myself, one by Senator CORNYN, one by Senator COONS and Senator RUBIO, another by Senators WARNER and MORAN. Senators COONS, RUBIO, WARNER, and MORAN have another one. Senator BENNET has yet another one. Many of us say: Let's go ahead and pin the green card on the high-IQ risk-taker and let those men and women create jobs here in the United States when they graduate.

What should we do about it? Stop insisting that we need to pass every single aspect of the immigration law at one time and go ahead and pass this one bill; realize that we can do some things better in the Senate step by step.

The second idea, advanced research—it is hard to think of a major innovation in the biology or sciences that doesn't have some aspect—has not had some support from government-sponsored research since World War II. Nobel laureate economist Robert Solow tells us that half our economic growth since World War II has come from these technological advances. Maybe one of the best examples is unconventional gas—we call it shale gas. It has been around for a century. A lot of people have been trying to do it, but even Mitchell Energy, the people who stuck it out in advanced shale gas, said it couldn't have happened without the Department of Energy and it could not have happened without the invention of 3 D drilling from Sandia National Laboratory.

Yesterday I visited with the head of what we call ARPA-E. Most of us know about a little organization called DARPA, which has been around for 50 years in the Department of Defense. Out of it has come such things as the Internet, stealth technology—a whole series of major innovations that affect the lives of people every day. So the idea was, let's try that in the Department of Energy. That came out of America COMPETES as well. ARPA-E takes promising ideas, brings them into the government, funds them for 3 years, and then spits them out again into the marketplace to see if they can survive. In other words, it is the kind of government-applied research that most of us can support. It had the support of 35 Democrats and 35 Republicans.

Yesterday I was briefed on just three of their innovations.

One company has doubled the density of a battery, a lithium battery. That means an electric car, for example, could go twice as far with a battery or it could go the same distance with a battery that costs half as much and weighs half as much.

A second idea was a laser drill for geothermal. The laser drilling precedes the normal drill and can do remarkable things, which will probably make a massive difference in exploration for oil and gas over time. Then a third, which I would describe as the holy grail of energy advanced research, is

the idea of taking carbon, such as that which comes from coal plants, and turning it into something that can be used commercially. Think of the difference that could make for our country if we were able to find a way to do that.

There is a promising way to do that in ARPA-E, which is to take what they call ''bugs,'' a biologic solution, apply it to electrodes, and turn it into oil. So this may work or it may not work in a commercial sense, but this is the kind of amazing research they are doing.

What do we do about that? I would suggest that all we have to do is double clean energy research, a sort of Manhattan Project for these kinds of ideas, and pay for it by reducing the permanent subsidies for other energy programs, whether they are Big Oil or Big Wind.

Finally, the third idea of Mr. Friedman is one I have talked about for years, and that has to do with the effect of Medicaid mandates on public higher education. He puts it this way, that the State governments ''medicate, educate, and incarcerate.'' The courts tell the States they have to spend this much on prisons, and we in the Federal Government tell the States they have to spend this much on Medicaid. There is nothing left for education, and the various orders to States today are ruining public higher education by driving up tuition, driving up loans, and hurting what I believe is America's secret weapon in our technological future.

What to do about that? End the Medicaid mandates. Let the Governors and legislators decide how to spend money. I guarantee if they do, they will come closer than when I was Governor of Tennessee and we paid 70 percent of the cost of a student's education and the student paid 30 percent. Today it is the reverse. The State pays 30 percent and the student pays 70 percent.

The students are protesting at the University of California because the State has cut $1 billion from what is probably the greatest public university in the world over the last 3 or 4 years. They probably have no idea the reason for that is Medicaid mandates from Washington that soak up the money that otherwise would go to keep tuition low and the quality high at the University of California.

My purpose in coming to the Senate floor is simply to say, first, that I think Mr. Friedman is right. He is right on the money. Second, I think more is going on than meets eye; and, third, finishing the job is well within our grasp.

We can pass the green card bill and pin the green card on the STEM graduate. There are six different versions before us in the Senate. We can double energy research and pay for it by reducing wasteful subsidies, and we can end Medicaid mandates and give our colleges and universities and community colleges a chance to prosper again and create the kind of future we want. That is the plan for the kind of innovation we need in America.

I salute Mr. Friedman for suggesting it, but I hope the rest of the country will recognize that in all three cases the Senate is headed in exactly that direction with legislation that we have already passed or introduced. I hope that on both sides of the aisle we will work together to finish the job.

Mr. President, I ask unanimous consent that following Mr. Friedman's article, an article I wrote in the Wall Street Journal, which was published on Wednesday, May 16, 2012, and talks about the damaging effects of Washington mandates for Medicaid on State governments and how it is damaging public higher education, be printed in the RECORD.

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

(See exhibit 2.)

EXHIBIT 1

[From the New York Times, May 19, 2012]

DO YOU WANT THE GOOD NEWS FIRST?

(By Thomas L. Friedman)

I've spent the last week traveling to two of America's greatest innovation hubs—Silicon Valley and Seattle—and the trip left me feeling a combination of exhilaration and dread. The excitement comes from not only seeing the stunning amount of innovation emerging from the ground up, but from seeing the new tools coming on stream that are, as Amazon.com's founder, Jeff Bezos, put it to me, ''eliminating all the gatekeepers''—making it easier and cheaper than ever to publish your own book, start your own company and chase your own dream. Never have individuals been more empowered, and we're still just at the start of this trend.

''I see the elimination of gatekeepers everywhere,'' said Bezos. Thanks to cloud computing for the masses, anyone anywhere can for a tiny hourly fee now rent the most powerful computing and storage facilities on Amazon's ''cloud'' to test any algorithm or start any company or publish any book. Start-ups can even send all their inventory to Amazon, and it will do all the fulfillment and delivery—and even gift wrap your invention before shipping it to your customers.

This is leading to an explosion of new firms and voices. ''Sixteen of the top 100 best sellers on Kindle today were self-published,'' said Bezos. That means no agent, no publisher, no paper—just an author, who gets most of the royalties, and Amazon and the reader. It is why, Bezos adds, the job of the company leader now is changing fast: ''You have to think of yourself not as a designer but as a gardener'' seeding, nurturing, inspiring, cultivating the ideas coming from below, and then making sure people execute them.

The leading companies driving this trend—Amazon, Facebook, Microsoft, Google, Apple, LinkedIn, Zynga and Twitter—are all headquartered and listed in America. Facebook, which didn't exist nine years ago, just went public at a valuation of nearly $105 billion—two weeks after buying a company for $1 billion, Instagram, which didn't exist 18 months ago. So why any dread?

It's because we're leaving an era of some 50 years' duration in which to be a president, a governor, a mayor or a college president was, on balance, to give things away to people; and we're entering an era—no one knows for how long—in which to be a president, a governor, a mayor or a college president will be, on balance, to take things away from people. And if we don't make this transition in a really smart way—by saying, ''Here are the things that made us great, that spawned all these dynamic companies''—and make sure that we're preserving as much of that as we can, this trend will not spread as it should. Maybe we could grow as a country without a plan. But we dare not cut without a plan. We can really do damage. I can lose weight quickly if I cut off both arms, but it will surely reduce my job prospects.

What we must preserve is that magic combination of cutting-edge higher education, government-funded research and immigration of high-I.Q. risk-takers. They are, in combination, America's golden goose, laying all these eggs in Seattle and Silicon Valley. China has it easy right now. It just needs to do the jobs that we have already invented, just more cheaply. America has to invent the new jobs—and that requires preserving the goose.

Microsoft still does more than 80 percent of its research work in America. But that is becoming harder and harder to sustain when deadlock on Capitol Hill prevents it from acquiring sufficient visas for the knowledge workers it needs that America's universities are not producing enough of. The number of filled jobs at Microsoft went up this year from 40,000 to 40,500 at its campus outside Seattle, yet its list of unfilled jobs went from 4,000 to almost 5,000. Eventually, it will have no choice but to shift more research to other countries.

It is terrifying to see how budget-cutting in California is slowly reducing what was once one of the crown jewels of American education—the University of California system—to a shadow of its old self. And I fear the cutting is just beginning. As one community leader in Seattle remarked to me, governments basically do three things: ''Medicate, educate and incarcerate.'' And various federal and state mandates outlaw cuts in medicating and incarcerating, so much of the money is coming out of educating. Unfortunately, even to self-publish, you still need to know how to write. The same is happening to research. A new report just found that federal investment in biomedical research through the National Institutes of Health has decreased almost every year since 2003.

When we shrink investments in higher education and research, ''we shoot ourselves in both feet,'' remarked K.R. Sridhar, founder of Bloom Energy, the Silicon Valley fuel-cell company. ''Our people become less skilled, so you are shooting yourself in one foot. And the smartest people from around the world have less reason to come here for the quality education, so you are shooting yourself in the other foot.''

The Labor Department reported two weeks ago that even with our high national unemployment rate, employers advertised 3.74 million job openings in March. That is, in part, about a skills mismatch. In an effort to overcome that, and help fill in the financing gap for higher education in Washington State, Boeing and Microsoft recently supported a plan whereby the state, which was cutting funding to state universities but also not letting them raise tuition, would allow the colleges to gradually raise rates and the two big companies would each kick in $25 million for scholarships for students wanting to study science and technology or health care to ensure that they have the workers they need.

This is not a call to ignore the hard budget choices we have to make. It's a call to make sure that we give education, immigration and research their proper place in the discussion.

''Empowering the individual and underinvesting in the collective is our great macro danger as a society,'' said the pollster Craig

Charney. Indeed, it is. Investment in our collective institutions and opportunities is the only way to mitigate the staggering income inequalities that can arise from a world where Facebook employees can become billionaires overnight, while the universities that produce them are asked to slash billions overnight. As I've said, nations that don't invest in the future tend not to do well there.

EXHIBIT 2

[From the Wall Street Journal, May 16, 2012]

TIME FOR A MEDICAID-EDUCATION GRAND SWAP

(By Lamar Alexander)

Staring down steep tuition hikes, students at the University of California have taken to carrying picket signs. As far as I can tell, though, none has demanded that President Barack Obama accept a Grand Swap that could protect their education while saving them money. Allow me to explain.

When I was governor of Tennessee in the early 1980s, I traveled to meet with President Ronald Reagan in the Oval Office and offer that Grand Swap: Medicaid for K 12 education. The federal government would take over 100% of Medicaid, the federal healthcare program mainly for low-income Americans, and states would assume all responsibility for the nation's 100,000 public schools. Reagan liked the idea, but it went nowhere.

If we had made that swap in 1981, states would have come out ahead, keeping $13.2 billion in Medicaid spending and giving $8.7 billion in education spending back to Washington. Today, states would have about $92 billion a year in extra funds, as they'd keep the $149 billion they're now spending on Medicaid and give back to Washington the $57 billion that the federal government spends per year on schools.

This trade would get at the heart of the problem with today's rising cost of college education: the policies that Washington has dreamed up and then handed off to the states to implement, costs and all. Chief among them: Medicaid.

When I was governor and we were allotting state tax money for roads, schools, state agencies and the like, we'd have to choose between spending on Medicaid or public higher education. When states are forced to spend more of their limited tax dollars on Medicaid, that usually means they spend less on education.

Last year in Tennessee, Medicaid funding was up 16% while state support for higher education was down 15%. As a result, tuition and fees at public four-year universities rose more than 7%.

At Tennessee Tech University, state funding has dropped 30% over the last three years—and the picture is not much different at other universities and community colleges throughout the nation.

In addition to saving states money, this Grand Swap could help improve the quality of education, both in colleges and K 12.

Because of the funding crunch, the quality of many of our higher education institutions is in serious jeopardy, and that's putting our nation's future in jeopardy. America's secret weapons in creating jobs since World War II have been innovation, technology and a trained workforce. We not only have the best colleges and universities in the world, we have nearly all of the best.

At the K 12 level, federal involvement has done little to improve quality. Federal funding for elementary and secondary education programs has increased by 73% over the past nine years, while student achievement has stayed relatively flat.

State and local leaders know best how to create an environment in which students can learn what they need to know to succeed in college and in careers. Decisions on whether schools and teachers are succeeding or failing should be taken away from Washington and given back to state and local governments. While Washington has provided some important advocacy and requirements for better reporting of test scores, most of the initiative for higher standards, better tests, more accountability and more parental choice has come from the states.

Then there's the Grand Swap's potential for strengthening Medicaid: A single manager, even if it is the federal government, would operate Medicaid more efficiently because it would be forced to implement the mandates it crafts.

So, how about it, Mr. President—a single Grand Swap for the long-term stability of tuition rates, student-loan rates, Medicaid and K 12 education?

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Kentucky.

AID TO PAKISTAN

Mr. PAUL. Mr. President, I think most Americans remember where they were on 9/11/2001. I was doing eye surgery in Bowling Green, KY. When I came out of surgery, I walked into the patient's room and on the television set were the planes crashing into the buildings. My first thought was horror. My second thought was concern for my father who was in Washington and is a Congressman and lives near the Pentagon. As I thought about this, it struck me as so bizarre and hard to believe. But I know exactly where I was and remember it vividly today.

I think Lucky Penny remembers where she was. Lucky Penny was one of the first female F 16 pilots. She was here in Washington at one of the bases, and she was asked to scramble her F 16. After the first two planes crashed, she was asked to intercept United Flight 93, which was coming in from Pennsylvania and thought to be headed toward the White House. She was asked to scramble a fighter jet with no armaments. They didn't have time to load the armaments and at that time we were not prepared and did not have jets already prearmed.

Her mission was to take down the plane however she could, which probably meant ramming her jet into the commercial airliner and bringing it down. Can you imagine being given this task? She took it upon herself and quickly scrambled her jet. The jet had to be scrambled in such a fast fashion that there were still things attached to it. People were trying to dismantle and pull out the gas hose and all the appendages to the plane as she was taxiing down the runway. I think she will never forget where she was on 9/11.

When SEAL Team 6 infiltrated bin Laden's compound, I think Americans were proud of SEAL Team 6 and proud of our military and proud of what they did to finally get this mass murderer. What happened in the weeks leading up to that attack and the attack on the compound by SEAL Team 6 was a doctor in Pakistan who helped us. His name is Dr. Shakil Afridi. He is about the same age as I, and I have a lot of sympathy for him and for his bravery. Doctors are not soldiers. We are taught to heal and to help, but he thought it was important enough and that bin Laden was a bad enough person that he would help America get bin Laden.

He set up a vaccination clinic, and they did DNA testing to try to prove that bin Laden was in the compound. He risked his life to get this mass murderer. As a consequence though, Pakistan has not treated him very well. The Pakistan Government has put him in prison for 33 years. I find it incredibly insulting that this is coming from an ostensible ally.

I find it troubling that this man who is a hero and should be praised and congratulated and rewarded has been sentenced to prison for 33 years. He has been in prison for the last year without trial and probably being tortured. He has lost a significant amount of weight and now he is told he will go to prison for the rest of his life for helping America to catch the mass murderer bin Laden.

What I find particularly troubling is that the United States continues to fund and give money to Pakistan. Over $1 billion of U.S. taxpayer money is sent to Pakistan. It troubles me that we are sending $1 billion to a country that imprisons the gentleman, the physician, who was brave enough to help us get bin Laden. It makes no sense.

Recently, a committee proposed reducing our foreign aid—the $1 billion—by $33 million. It is 3 percent. I think they will laugh at us and keep doing what they are doing. They only understand negotiation from strength. So what I am proposing, and what I will insist upon in the next few days, is a vote on ending aid to Pakistan unless they free Dr. Afridi. I think that is the very least they can do. I am also asking the U.S. Government to grant him emergency citizenship and to help his family get over here from Pakistan and to provide them safe passage. I think it is the least we can do.

We shouldn't reward bad behavior. That is what we have done with foreign aid for so many years. It is one thing to talk about aiding or assisting your allies, but it is another to aid and assist the people who persistently persecute their own people—people who continue with human rights abuses.

In Pakistan there is a woman named Asia Bibi. She has been accused of saying something about the prophet. She said she didn't do it. It is gossip. She is set to be executed in Pakistan.

I think Americans should be outraged that 1 billion of your taxpayer dollars is being sent to Pakistan, a country that is imprisoning the guy who helped us get bin Laden, that is imprisoning a Christian for saying she said some sort of religious blasphemy, and the accusation is basically gossip. I think we should be insulted, not to mention the fact that I don't think it works.

Look at the examples throughout the last 30, 40 years of the different dictators we have given money to. We gave over $60 billion to Mubarak, the military dictator of Egypt. He stole a lot of it. He was one of the richest men in the world. He had some of the largest palaces in the world. His kids were enriched also at our expense.

Look at Mobutu in Congo. He was given billions of dollars and entertained by American leaders. At one time he had seven of the largest palaces in the world, mansions in the United States, mansions in Paris that were all paid for with our money. What did his people have? His people didn't have running water or electricity. Even if we believe in the humanitarian nature of giving money to these countries, it is not going to them. We are making rich autocrats richer in Third World countries, and it is not going to the people of the country. It is stolen and skimmed off the top.

Look at Mugabe. Mugabe in Zimbabwe tortures his opposition, has confiscated land, has basically run his country into the ground, and we have given him billions of dollars. We can't buy better behavior and we shouldn't reward autocrats. Let's not reward folks who torture their people. For goodness' sake, we should not send $1 billion to Pakistan when they are imprisoning a hero who helped us get bin Laden.

My amendment will call for an immediate halt to all aid to Pakistan now. I am asking President Obama not to send one penny to Pakistan until Dr. Afridi is freed. I am asking that no more money goes there in the future until Dr. Afridi is freed. I think this is the least we can do. I plan on demanding a vote in the Senate, and I hope the American people will pay attention to how their representatives vote. They are voting to send money we don't even have. We are $1 trillion in debt. We borrow the money from China and send it to Pakistan. It makes no sense. Our infrastructure is crumbling. We have had two bridges collapse in Kentucky this year. We are struggling for money to pay for our own infrastructure, and we are sending $1 billion to a country that imprisons Christians for their beliefs.

It has to come to an end. It is going to come to an end one way or another. What I ask is that the Senate step up and support ending this money being sent to Pakistan and, at the very least, not send any more until Dr. Afridi is freed.

I thank the Chair.

I yield back my time 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Would the Chair remind me of the pending business?

The PRESIDING OFFICER. The pending business is the motion to proceed to Calendar No. 415, S. 3240.

Mr. DURBIN. The farm bill; is that correct? The Agriculture bill?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. I was advised of that, and I wanted to double-check.

Three weeks ago we passed a milestone in U.S. agriculture. The U.S. Department of Agriculture celebrated its 150th birthday. I take some pride in that coming from Illinois because it was President Abraham Lincoln who created the U.S. Department of Agriculture. He called it the people's department. Among other things, it became a launch pad for the development of the United States. It was during that same period of the Lincoln Presidency that they started the land-grant college system as well as the Transcontinental Railroad. These things literally settled and united our great Nation.

Since its inception, the U.S. Department of Agriculture has played an important role supporting farmers, investing in rural communities, researching crops, diseases, production practices, increasing energy production, and helping to fight poverty.

Now the Senate is turning to the debate on the 2012 farm bill that will carry forward the vision of our government's role in agriculture for the next 5 years.

While much of the rest of the country has been struggling through a recession, agriculture in America has really remained a bright spot. We have seen record prices and record income in the farm sector.

Last year farm revenues reached $98.1 billion. Times are good, but we cannot afford to forget for a moment that there is inherent risk in farming—risks that many other business do not face. Droughts, floods, wind damage, rain, and pests are just a few of the risks farmers must cope with on a year-to-year basis. Because of the nature of these risks associated with farming and the important role farmers play in food production, the Federal Government, since the days of President Franklin Roosevelt, has long provided a safety net to help farmers in the worst of times. But the need for a safety net must be balanced every time we have a farm bill with the realistic appraisal of the risk facing farmers and acknowledging the resources available from the Federal Government.

The Agriculture Committee, under the leadership of Chairwoman DEBBIE STABENOW of Michigan, who has done an extraordinary job with Senator ROBERTS, the ranking Republican, in bringing this bill to the floor, and the broader agriculture community deserve credit for stepping up to find savings in this farm bill, to cut subsidies, and to make sure those savings are dedicated toward good programs and deficit reduction. They make real reforms in agricultural programs. The bill on the floor is a huge step forward in putting our agriculture policy on the right track in light of the fiscal challenges we face. It reforms several titles to help producers better manage their risk, makes key investments in energy and research, ensures programs are in place to help our rural communities grow, and assists those who need to put food on the table. It does all this, and, to the credit of the Agriculture Committee, it still manages to save $23 billion over the next 10 years against what we had projected spending before this bill was introduced.

Gone are the outdated direct payments that went to farmers even when they were having record positive income years. To replace direct payments, the Agriculture Committee has proposed the new Agriculture Risk Coverage Program, known as ARC. ARC is a market-oriented program to build on the principles of the ACRE Program that I authored in the last farm bill and was expanded on in the Aggregate Risk and Revenue Management Act I joined along in with Senator SHERROD BROWN, Senator THUNE, and Senator LUGAR last year.

The biggest change introduced by the ARC Program is that to get a payment, you have to have an actual loss. That may sound odd to people who are observing this from the outside, but this is a fundamental shift in agricultural policy and I think a very wise one. ARC does not guarantee a profit, and it does not make the farmer completely whole, but it smoothes out the downturns and provides the producer time to shift to a new market condition.

Crop insurance protects farmers within any given year. The ARC Program is designed to help manage risk when there are repeated years of low prices or low yields. In other words, it makes the payments when they are needed. And even better, the shift to ARC saves the Federal Government about $15 billion. I congratulate Senator STABENOW for this extraordinary savings as well as many other changes within the bill.

Other portions of the bill make long-term investments that will help strengthen agriculture. The bill increases mandatory spending and reauthorizes and expands several programs in agricultural research. It is a small part of the Agriculture bill but a critically important part of expanding agriculture in America.

This bill creates the new Foundation for Food and Agriculture Research, which leverages public dollars to generate private investment. These investments are going to be important to Illinois producers and major research institutions such as the University of Illinois, Southern Illinois University, and the Peoria Agriculture Lab, as well as several other universities across our State.

The energy title includes mandatory funding for programs to expand bio-based manufacturing, advanced biofuels, and renewable energy. These

programs are going to help companies in my State, such as Archer Daniels Midland and Patriot Renewable Fuels. They are going to be able to process and manufacture products in rural America. There are many examples in Illinois of new markets being developed and new jobs being created in rural areas because of the growth of the bio-based industry.

The bill reforms the conservation title to streamline programs and finds additional savings by limiting the number of acres that can participate in the CRP or Conservation Reserve Program.

I have some concerns with these cuts and believe our most environmentally sensitive lands need to stay out of production, but I understand that the committee had a tough assignment to balance our policies with the need to reduce the deficit. This also holds true when it comes to nutrition, and I would like to say a word about the nutrition programs in this bill.

You can almost argue that this is a nutrition and agriculture bill. But it is the farm bill, and it includes many critical nutrition programs.

SNAP is the old Food Stamp Program. It helps those most impacted by the current recession continue to feed their families. You cannot really improve your situation in life if you are hungry. The committee bill takes some steps to reduce fraud in SNAP, and I heartily endorse that. We cannot really argue against those. But I am concerned about rumblings from other Members considering amendments to cut the program more fundamentally and alter the way SNAP works.

Let's be clear. We should not be cutting food assistance at a time when we are setting record poverty levels. In 2010 the United States set a new record with 15.1 percent of the population living in poverty. That is over 46 million people in our country. For them, SNAP, or the Food Stamp Program, is a lifeline.

I invite my colleagues who are anxious to cut these programs to go visit the local pantry, whether it is run by the church or whether it is a food bank in your area, and watch the people coming through the door. Some of them are very poor. Some of them are very elderly. Some of them are coming from work or going to work; they just do not make enough money to feed their families. Now is not the time to cut food assistance for American families. If you need more savings, I encourage my colleagues to look somewhere else in this bill.

While the Agriculture Committee bill makes major reforms, there is still more that can be done. The bill makes no changes to the Sugar Program that forces consumers in America to pay higher prices at the store and costs us jobs in America. I plan to support an effort from several of my colleagues to make some relatively minor changes that will benefit both consumers and businesses.

There is another area that needs further reform. It is the area of crop insurance. Crop Insurance Program costs have risen dramatically over the last several years, even when farm income was rising dramatically. Just last year the Federal Government spent more than $7.4 billion in crop insurance premium support. This does not even account for the amount sent to crop insurance companies—the companies that actually sell the crop insurance—to simply sell the policies. Incidentally, by selling those policies, they get a 14-percent return—not a bad deal.

However, the crop insurance title sees the largest single expansion of any title in the farm bill, without making major efforts to rein in the costs. We can do better. I have joined with my Republican colleague, Senator TOM COBURN, to find additional savings in this title. In our opinion, it is not unreasonable to ask the wealthiest and most prosperous farmers in America to pay a little more for their crop insurance. Right now the Federal Government is subsidizing 62 percent of premium costs for crop insurance. For those who are making over $750,000 a year, a slight reduction in that Federal subsidy is not hard to explain, at least from where I am standing.

I commend my colleagues on the Agriculture Committee for sending us this bipartisan bill. It is a safety net for producers, makes investments in rural America, research, and energy development, protects nutrition programs, and actually cuts spending.

I look forward to working with my colleagues in a bipartisan fashion to debate and pass the 2012 farm bill. I hope they will all join us in voting for the motion to proceed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to enter into a colloquy with my Senate colleagues.

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

STARTUP ACT 2.0

Mr. MORAN. Mr. President, entrepreneurs and new businesses are vital to the strength of the U.S. economy. We need to be a competitive country in which we have great success in creating jobs in America.

Between 1980 and 2005, startup companies—less than 5 years old—accounted for nearly all the net new jobs created in our country. New firms create an average of approximately 3 million jobs each year. In order to create jobs for Americans, we need to create an environment where entrepreneurs are free to pursue their ideas, start businesses, and hire American workers.

Now, why is this important? This is important, obviously, for the purpose of creating the opportunity for all Americans to pursue the American dream. It is important for us to have the ability to put food on our families' tables and save for our kids' education and save for our own retirement. And it is important because at a time in our Nation in which the fiscal condition of the Federal Government is so serious, so much out of balance—we are spending so many more dollars than we take in—the deficit is holding back the growth of our country. These facts are important because at this point in time, because of our country's fiscal condition, we have an inability to grow the economy, and we have seen little evidence that the administration and Congress are willing to address our fiscal issues.

I raise these facts because we have to act now in order to create jobs in this country. The way to do that is to create an entrepreneurial and innovation environment in which people—Americans—who have ideas want to take a product to market. In the process of pursuing their success, they put other Americans to work. We need to create the environment in which that can happen. In the process of creating the benefits of new jobs in America, we will have a better fiscal condition than the one we find ourselves in today and avoid the chances that the United States will become another Greece or other southern European country.

A number of us in the Senate who believe we can work together to accomplish this have come together and entered into negotiations and created legislation based upon information provided by the Kauffman Foundation on entrepreneurship in Kansas City, as well as the President's Council on Jobs and Competitiveness. On the floor with me today are several of those colleagues. The Senator from Virginia, Mr. WARNER, and I gathered together our thoughts several months ago and introduced legislation called the Startup Act. Also on the floor this afternoon is Senator COONS of Delaware. He and the Senator from Florida, Mr. RUBIO, introduced the AGREE Act, designed to put some things in place that most Members of Congress agreed upon to grow technology and create jobs. The four of us then came together with an idea and have now introduced Startup Act 2.0.

Today, Members of the House of Representatives introduced companion legislation—this morning—in a bipartisan effort. So we now have a bipartisan, bicameral piece of legislation that we believe is important to the country. We believe it is important to individual citizens, and we believe it is important in the ability for us to have the economic growth necessary to begin the process of making our country fiscally sound again.

This legislation has a number of components related to the Tax Code, related to the regulatory environment, related to the global battle for talent, related to the ability for us to take the money we spend—the taxpayer dollars at universities in conducting research—and to encourage that money be spent in a way for research that is able to be used in bringing new products to market, in commercialization,

and to create an environment in which States across the country can demonstrate their interest and willingness in pursuing an entrepreneurial environment so that entrepreneurs and innovators find a place to build their companies.

It is an honor to be here this afternoon to highlight this legislation, to encourage our other colleagues to join us, and to approach this in a way that says we believe this is something more than just introducing a bill, it is something that is important not just as a symbol that we are working together, but we are of the belief that this is legislation that can follow the JOBS Act that was passed by this Congress and signed by this President several months ago, that we can follow on with legislation that will increase the chances that entrepreneurship is alive and well and America retains its competitive place in a global economy.

Let me ask my colleagues if they would like to join in this discussion. I would yield to the Senator from Virginia.

Mr. WARNER. Mr. President, I would like to thank my friend, the Senator from Kansas, for his leadership on this issue. This is something on which he and I spent a lot of time working, as have, I know, the Senators from Delaware, from Florida, and we are joined now by the Senator from Missouri as well. We are all new Senators.

We said before when we unveiled this we did not get the memo that we should take Presidential election years off. We still think the needs of our country ought to trump election-year politicking. We think this is one of those spaces where we can find that common ground.

I spent 20 years as an entrepreneur and a funder of startup businesses, and everything in my experience validates what Senator MORAN has talked about. But, candidly, the facts show 80 percent of all of the new jobs created in America in the last 20 years came from startup businesses. They are not all tech businesses. I think of Under Armour, which is right up the road in Maryland, close to our friend from Delaware.

There are certain key things that every startup business needs: They need access to capital, they need access to talent, they need access to new ideas. We need to make sure we have a stable regulatory environment that is not overly burdensome in each way we move the ball in this legislation, both that we passed and that we are working on right now.

Senator MORAN mentioned the JOBS Act, which looked at access to capital issues, how we can perhaps allow companies access to the public markets in a cleaner way. I want to commend the Presiding Officer as well. He took the lead on a whole new area of fundraising around crowdfunding, crowdsourcing, and using the tools of the Internet, in effect, democratizing the ability to raise capital.

In this legislation, Startup 2.0, we take on a series of other issues. One of the issues is the question of talent. Every country in the world competes for talent. We attract some of the best talent in the world to come to our world-class universities. Oftentimes, we then train them in science, technology, engineering, and math with graduate degrees. I wish we could fill all of those slots in American universities with native-born Americans. But we do not have enough.

Consequently, we train the best and brightest in the world, then send them home to start their businesses. I can tell you, in Virginia, where we are proud to have a vibrant high-tech community, an entrepreneurial community, literally one-third of all of our high-tech firms in Northern Virginia, the founders are first-generation Americans. If we had the same immigration policies 20 years ago that we have today, we would not have had that kind of explosive growth particularly all across America in the nineties from technology.

So I want to turn to my colleague, the Senator from Delaware, a State that punches above its weight, a small State but a State with great universities, a State which has a rich entrepreneurial climate as well, what got the Senator involved—I know he has a background in business as well—on this issue. I know the Senator wants to share as well some of the aspects of Startup 2.0.

Mr. COONS. Mr. President, I am honored to join with the good Senator from Kansas, the Senator from Missouri, and my friend from Virginia in speaking today in a bipartisan colloquy that is also part of a bicameral process that is trying to send a signal to the American people, to our markets, and to our competitors, that we understand that just because we happen to be in an election year does not mean our competitors in China, in India, and Russia, in Europe and other parts of world—in Africa and in other places where there are emerging markets or in places where we have well-developed competitors—we do not take this year off.

The American people expect since we are still drawing a salary, we should still be making progress. We should still be trying to meet the needs of a growing economy that needs to grow faster. So as Senator MORAN referenced previously, last November Senator RUBIO of Florida and I came together to put a package called the AGREE Act before the Senate.

We were pleased that a number of the provisions in that first AGREE Act actually have subsequently become law: One, to ease the path for IPOs, initial public offerings, for high-potential, high-growth companies; another through Executive order to strengthen intellectual property protection. We are hopeful the Senate will consider another provision that dealt with bonus depreciation, which is another way to help make investments in equipment for small businesses.

On top of that, Senator RUBIO and I have now teamed up with Senator MORAN and Senator WARNER to take some of the remaining provisions of the AGREE Act and add them in with your Startup Act and now make an improved and broader and stronger Startup 2.0.

The pieces that we brought to the party were eliminating the per-country caps for employment-based immigrant visas and making permanent the exemption of certain capital gains so investors can provide financial stability to qualified startups. There are a lot of good ideas in this bill. There are a lot of different ways in which it tackles the issues that my colleagues have already spoken to: immigration; retaining high-promise, entrepreneurial folks who come and learn in the United States; moving the inventions and innovations on American college campuses to the marketplace more predictably, more swiftly; providing tax incentives for startup businesses and putting provisions in the Tax Code that strengthen our welcoming environment for entrepreneurship and regulatory relief.

Senator MORAN took the lead in making possible a provision in this bill that provides some regulatory relief for startup businesses. In all I think these provisions make for a terrific package, thus the moniker ''2.0.'' It has already attracted some other folks to join us.

Before I hand the floor over to the Senator from Missouri, I just want to comment on what I think that means.

There are trillions of dollars in capital sitting on the sidelines. American corporations have more money sitting on their balance sheets, not invested and moving our economy forward, than at almost anytime in modern history. That is because they are not sure this body, the Congress of the United States, can tackle the very real financial and competitiveness challenges in front of us.

There is something about the symbolism of what is on the Senate floor today: the Agriculture bill, the farm bill, and a bill we took up and passed just a few weeks ago, the Transportation bill. I think that is at times lost. The average American sees in the news the fighting, the disagreement, the inability to come together, when, in fact, two fairly broad, strong important bills—the farm bill and the Transportation bill—were passed through committee by strong votes.

Senator BOXER of California, Senator INHOFE of Oklahoma, Senator STABENOW of Michigan, and Senator ROBERTS of Kansas—these are folks from both parties with significant differences in their views. But they managed to hammer out these bills, the Transportation and farm bills.

I want to thank Senators MORAN and WARNER and RUBIO for joining with me and the four of us being able to put this together and putting it on the floor of the Senate today.

To the good Senator from Missouri, a freshman in the Senate but a man of

great seasoning and experience in the House and in public service, we are grateful he has joined us as a cosponsor of this bill. I welcome him to speak for a few minutes about how he sees this contributing to positive progress for our recovery.

Mr. BLUNT. Mr. President, I do think there are those things that we can agree on. I am glad to join the three of you and Senator RUBIO as one of the cosponsors of this bill that you all crafted and put together. Good energy policy, good tax policy, good regulatory policy are important to the future. But there are things we can do right now even outside of these bigger debates we need to have that are in this bill.

Who would have thought—Senator MORAN brought this poster to the floor—Great Britain would become a real competitor for us as a better place to do business? I have talked to more than one American business lately that has actually changed their worldwide headquarters and their corporate structure to Britain instead of the United States of America.

Then we have another—this poster is ''Entrepreneurs are Great Britain.'' I think entrepreneurs are still the United States of America. But this ad would suggest otherwise.

''Your next big idea. Canada.'' Canada is a great trading partner. They are a neighbor of ours. They are a friend of ours. But I do not think we would have thought a decade ago that these countries would be repositioning themselves, and that has happened. Also, I think we have not kept up like we should and we could have with things such as the Startup Act.

These countries are putting themselves in a position where they understand that private sector job growth is critical, that government can do some things to encourage that, but government does not create very many private sector jobs.

One of the reasons I decided to cosponsor the Startup Act 2.0, the second version of the Startup Act, is I think it does some of what we need to begin to do. Seventy-five percent of all U.S. engineering and technology firms in the last decade, the decade we have good numbers on, the one that ended just a few—that ended really—the numbers I have are 1995 to 2005—75 percent of the engineering and technology startups were started by people who were born in another country.

This bill simply creates a visa program that allows entrepreneurs who have good ideas and, frankly, have some money to go along with these good ideas, to come to the United States of America and start these jobs, to take advantage of our great workforce, to take advantage of the position we have to be able to send products all over the world, and to do that here.

This act also requires that we have a true cost-benefit analysis of rules and regulations. Last year the Federal Government—of the 66 rules which cost more than $100 million, only 18 of them had what one could describe as a cost-benefit analysis. There are lots of things that would be fine to do, but if the cost to the economy, the cost to jobs, and the cost to families is greater than the benefit, we should not do them.

So this bill says let's go ahead. Let's not let the cost of something overwhelm the benefit to the economy or become a negative impact on the economy. Long-term investment in this act with startups would have some exemption from the capital gains. People are risking a lot of money with a startup. This is saying: We want to raise the reward quotient of that risk so we encourage people to take the risk.

If someone is doing a startup, the odds are pretty high that money may not ever come back. So we need to do whatever we can to encourage that money be put on the table and those jobs be created. In 2009, 651 startups were created with university research involved as a component. This further opens the door for grant dollars that are already available, of Federal research and development funds to be even more open to a university partner as part of that private sector effort. So I think we have to be focused on the opportunity for families, the opportunity for individuals.

Who creates the jobs in America? Small business creates the jobs in America. Startups create the jobs in America. I am pleased to be here standing with Senator MORAN.

The next big idea is the biggest idea of the last couple hundred years, which is the United States of America intends to be a competitive leader in the world. What do we need to do as Members of the Senate to see that happen?

I am glad he and Senator WARNER, Senator COONS, and Senator RUBIO are leading this effort. I am glad to join in it and glad to be here on the floor today.

Mr. MORAN. I very much appreciate the remark of the Senator from Missouri and his cosponsorship of this legislation.

Let me highlight something he pointed out, which is in the short time that those of us on the floor today have been in the Senate, about 14 months, seven countries have adopted new laws to attract entrepreneurs. We have not.

Listen to this fact. A recent report from the World Bank shows that America has slipped in the rankings in terms of startup friendliness from first to thirteenth. There are provisions in here about visas for those who were foreign born. This is very much about American jobs. This is about the opportunity for someone to start a company here and hire Americans. If they happen to be someone who is foreign born but highly educated in science, technology, engineering and entrepreneurial with money and they want to invest in the U.S. economy and agree to put people to work, we are saying the doors of the United States of America are open for business for purposes of hiring U.S. citizens.

It is an important component. We do not want to lose this battle. As we see, these are ads from U.S. publications in which entrepreneurs are being lured to places outside the United States to start their companies. When I visited with an entrepreneur recently, they said: We could not get the person we needed to hire to work at our company because they could not get a visa. They were foreign born. So we hired them, but we put them in our plant in Canada. We put them in our facility in Dublin.

The fear is, the concern, there is more than just those number of jobs that we are out to create in the United States. It means people who are entrepreneurial are now in Dublin and in Toronto where they are making decisions not just about what they have to do today for a check, but when they have an idea about starting a business, they are outside of the United States and we lose the benefit of that job growth.

Let me also say something else about this legislation. An entrepreneurial engineer told me to get a plane to fly, there are two forces at work: thrust and drag. Too many times, in my view, Congress spends its efforts in creating new laws, more spending, it promotes the thrust. What we are doing is reducing the drag, increasing the chances that a new business will succeed.

Before our time expires, let me again return to the Senator from Virginia.

Mr. WARNER. I commend the Senator from Kansas for his comments. I am fond of Canada. My mom's family is from Canada. It is remarkable. Canada, over the last 3 years, has aggressively sought out worldwide talent.

I ask the Senator from Kansas whether he thinks it is good policy in what we do now—and, once again, I make very clear, this is about growing American jobs because we have more job openings in the advanced fields of science, technology, engineering, and math than there are American citizens applying for those jobs.

I ask the Senator from Kansas whether it would make sense—if we thought about this from a national security standpoint, would it make sense for us to take, for example, a Chinese lieutenant and send him to West Point and expose him to everything we have in terms of our national security ideas and then send him home?

I guess I ask the Senator whether he thought that would be good national security policy. Does it affect our current national immigration policy on an equally important front, in terms of job creation and economic activity?

Mr. MORAN. Mr. President, the answer to that in Kansas is that it doesn't make any sense at all. There is no good judgment there. That is a point I would make in a more broad way. The provisions of Startup 2.0 are mostly about common sense, things that would make sense to the people of my State and to the people of the State

of Virginia who, if you looked at a problem said how can you solve it and grow the economy, they would say these things make common sense. That is what this legislation is about.

In my view, I guess 80 percent of our colleagues in the Senate at least would be supportive of the provisions of this legislation. I think the Senators on the floor this afternoon and others are out to prove that when there is broad support for commonsense ideas, we are still in a legislative body that can accomplish much and that, as the Senator from Virginia is fond of saying, we didn't get the memo that says we don't work during an election year. The American people expect us to make the necessary accomplishments to grow the economy, to put Americans to work, and to get our fiscal house in order.

Again, I ask if the Senator has any items to close with.

Mr. WARNER. No. I hope we can get a number of our colleagues to join us. This doesn't fall under a traditional Democratic versus Republican lexicon. This is more about future versus past. This is the future of global competition for talent, for ideas, and for capital. This is where job creation will come from. I look forward to working with the Senator and our other colleagues to make sure we get the support here and in the House and get this bill passed. I thank my friend, the Senator from Kansas.

Mr. MORAN. I thank the Senator, and I yield the floor.

Mr. LEAHY. Mr. President, the Senate is about to turn its attention to one of the most significant legislative issues on our agenda this year, consideration of the 2012 farm bill. I would first like to thank the chairwoman, Senator STABENOW, and ranking member, Senator ROBERTS, for working together in a bipartisan way to advance a farm bill—the Agriculture Reform, Food, and Jobs Act of 2012—that can pass the Senate and become law this year. As a former chairman of the Agriculture Committee, and having worked closely with Senator LUGAR on many bipartisan farm bills, I know how difficult the task can be of forging a comprehensive bill that addresses many competing needs.

Some Senators may be scratching their heads trying to understand the urgency of passing this bill and why it matters to constituents in all of our States. The current farm bill expires at the end of September. We also have a serious problem with dairy policy that must be addressed before August 31; our dairy farmers will be left without a vital safety net if we do not act before then.

I recognize that not every Senator comes from farm country or hears from many farmers in their State like I do. But this is a bill that affects every State and touches the lives of every American, through the healthy food on our kitchen tables or in our children classrooms; the clean water that is a result of critical conservation programs; rural businesses on Main Street receiving assistance from USDA; new energy products resulting from research supported by this bill; and the benefits we all receive from our local farms and food systems that benefit from this bill. The farm bill also has a reach far beyond our borders with the international food aid that provides lifesaving support around the globe.

Make no mistake: Farming is part of our national security. Imagine what it would be like if we had to depend on imported food, the way we depend on imported oil. Keeping American agriculture strong and vibrant is at the core of this bill, but this bill does much more. It will also help keep our rural communities strong, and will support those Americans who are struggling to put food on the table.

Every Senator should know that this farm bill makes real reforms, and nets real savings. This bill makes long-overdue reforms to agriculture policy, and consolidates and streamlines USDA programs, all the while cutting $23 billion in mandatory spending. The bill before the Senate today proves that when Democrats and Republicans sit down and work in a bipartisan manner we can make progress and accomplish something real, and do so with fiscal restraint.

Is this the farm bill that I, or any individual Senator, would have drafted? Of course not. There are conservation and energy programs that farmers in Vermont would like to see strengthened, many nutrition programs that are vital in keeping food on the tables of millions of Americans, and a wide array of rural development programs that do not have mandatory funding in this bill. But I recognize that this bill is a compromise, and I will continue to work with the chairwoman and ranking member to make this the best farm bill possible.

I am especially pleased that the farm bill includes a major dairy reform proposal that I know will help both our producers and consumers move away from the dangerous roller coaster of price swings. For our farmers in Vermont, these dairy reforms are the key to our consideration of a farm bill. I regularly hear from Vermont farmers about this. We simply must free our dairy farmers from this destructive cycle of volatile price changes.

The current Federal safety net provides no protection for dairy farmers from this roller coaster of price volatility. The 2012 farm bill scraps outdated price supports and the Milk Income Loss Contract Program. It establishes a new risk management plan that protects farm income when margins shrink dangerously, and a stabilization program to allow farmers to take a proactive role in easing the instability in our dairy markets.

And it accomplishes this at a lower cost than the program that it replaces and contributes to the savings in this bill. It is a voluntary program and can be tailored by the farmer to fit the farmer's individual needs.

These reforms have the support of dairy farmers across the country, and they have been developed to move us away from the regional dairy fights and the constant policy conflicts between small and large farms. The 2009 dairy crisis brought plummeting milk prices and sky-high feed costs that combined to force far too many U.S. dairy farmers out of business, and saddled thousands more with losses and debt from which it will take years to recover. After those dark days in 2009, dairy farmers from across the country came together for a solution that will help them and consumers move away from these volatile price swings.

Dairy is Vermont's single most important agricultural commodity, and dairy products account for upward of 83 percent—or 90 percent, depending on market prices—of Vermont's agricultural products sales. If any Senator has questions about the dairy reforms in this bill, I would welcome discussing what this farm bill does for dairy farms. There has been a lot of misinformation about these provisions, and I welcome the opportunity to eliminate any confusion.

I have tried to be supportive of programs which do not directly benefit Vermont, and I intend to vote to help farmers in other regions—just as I hope other Senators will join me in supporting dairy farmers in Vermont, and throughout the Nation. Just like corn, wheat, soybean, sugar, cotton and the many other types of farmers in our country, our dairy farmers work extremely hard for a living. Dairy farmers deserve a voice in the crafting of this farm bill, and I have been proud to ensure that their voices are being heard in shaping this bill.

While listening to our farmers in writing this bill, we also need to hear the voices of the millions of Americans struggling every day to put food on the table. The nutrition assistance and emergency feeding programs in this farm bill are needed now more than ever. Because of the greater need for services, these programs currently do not satisfy demand. The numbers are staggering even for a State the size of Vermont. In 2010 alone, an average of more than 87,000 Vermonters received Supplemental Nutrition Assistance Program, SNAP, benefits each month. On top of that, nearly 86,000 Vermonters accessed food from our State's food pantries and soup kitchens. Sadly, those numbers have continued to rise in Vermont and across the country, and they reflect how critically important the nutrition title of the farm bill is to so many States.

Ensuring these programs can continue to serve Vermonters and all Americans in need is a key part of enacting a strong farm bill for this country.

Calls to reduce food assistance as a way to solve our Nation's deficit problems are misguided and shortsighted.

Axing tens of billions of dollars from the SNAP program would eliminate food assistance for millions of Americans and deny hundreds of thousands of American children school meals. I am disappointed that this bill includes $4.5 billion in cuts to the SNAP program, cuts that will predominately come from Northeastern States.

Despite these cuts, the farm bill does make significant improvements to nutrition programs, including important funding for emergency food assistance and initiatives to encourage better health through improved access to local foods, and better nutrition for our children and seniors. I am pleased that this bill also makes great advances to support self-sufficiency and food security in our low-income communities, helping to correct the ''food deserts'' that we experience in both urban and rural communities. At a time when more Americans than ever before are at risk of going hungry, and food pantry shelves across the country are bare, I am committed to working with the chairwoman and ranking member to find ways to make these nutrition programs even stronger in order to help the people who need it most.

I hope that the full Senate can now come together in a bipartisan way, just as we did in the Agriculture Committee, to pass this bill, which will have a tremendous impact on our farms, our rural communities, our kitchen tables, and our economic recovery.

This farm bill represents an investment in American agriculture that will benefit our producers, our rural communities, our Main Street businesses, taxpayers, and consumers, and particularly the neediest among us. It deserves the Senate's full and focused attention, and it deserves the support of every Senator.

EXECUTIVE SESSION

NOMINATION OF JEFFREY J. HELMICK TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Jeffrey J. Helmick, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. Under the previous order, there will be 90 minutes of debate equally divided in the usual form.

The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Mr. President, the U.S. Constitution entrusts the Senate with one of our democracies' most important obligations—to ''advise and consent'' to judicial nominations.

Yet, today, almost half of all Americans, 133 million citizens of our great country, live in districts or circuits that have a vacancy due to the inaction of Members of this body.

We have an opportunity today to take seriously our responsibility to do something about that and take one significant step by voting to confirm Jeffrey Helmick to serve as a U.S. district court judge. President Obama nominated Mr. Helmick to serve on the U.S. District Court for the Northern District of Ohio on May 11, 2011.

Based on a bipartisan commission's recommendation and based on my own judgment, I had no hesitation whatsoever in suggesting Jeffrey Helmick's name to President Obama. Let me tell you about our selection process.

In 2009, then-Senator George Voinovich, a Republican, and I assembled a bipartisan commission of distinguished Ohioans in the legal community. The commission included a former attorney general of Ohio, law school deans, and other accomplished Ohioans. In order to avoid any conflicts of interest, leading legal professionals from the Southern District of the State reviewed nominations—that Northern District includes Toledo, Akron, Canton, Youngstown; the Southern District includes Columbus, Dayton, Cincinnati, and other communities. Legal professionals from the Southern District reviewed nominations for vacant judgeships in the Northern District and vice versa.

The members of the bipartisan commission for the Northern and Southern District were about exactly half Republican and half Democratic. They spent a substantial amount of time, as they have on previous judges in the process, screening, interviewing, and discussing the candidates.

At the end of this process, they selected Jeffrey Helmick, a native of Toledo, to be the nominee for this judicial vacancy. They gave me three highly qualified names, suggesting that I interview them, which is part of the process. I then went there to advise and consent, if you will, after speaking with all members of the committee, personally or on the phone. I chose to send Jeffrey Helmick's name in to be the nominee.

Jeff Helmick continues to live in Toledo with his wife Karen, an attorney also, and their son Joel. Each of the members of this commission I spoke with was impressed by Jeff's thoughtfulness, his temperament, and his extraordinary reputation among his peers, even among opposing counsel.

The chair of the commission, Nancy Rogers, a former dean of the Ohio State University Moritz College of Law and former attorney general of Ohio, said of Jeff:

> He has shown a commitment to integrity and to excellence, and a dedication to his community and to the administration of justice.

Jeff Helmick not only has the support of this bipartisan selection committee, selected by Senator Voinovich, a Republican, and by me, he has the support of the larger legal community, including all the Federal judges he will serve beside at the Federal courthouse in Toledo.

U.S. District Court Judge Jack Zouhary, nominated by President George W. Bush, has been a judge in the Northern District since 2006. He is currently the sole active judge of the court in the Western Division of the Northern District in Ohio, and he will be working most closely with this new judge—we hope.

Judge Zouhary wrote to the committee recommending Jeff Helmick's expedient confirmation. For some time, Judge Zouhary has asked when the Senate would confirm Jeff. He wrote:

> You will find no better candidate than Jeff Helmick. He possesses the intelligence, the passion for our justice system, and the necessary temperament and people skills to be an outstanding district court judge.

If that weren't enough, he also said:

> In the private practice, lawyers are able to choose their partners. Federal judges don't have such a luxury; we must work with whomever you confirm. I would be thrilled to have Jeff as my ''partner'' on the bench.

Ohio State Senator Mark Wagner, a Republican, represents much of that area in the State legislature in the Western Division of the court. He is chair of the Ohio State Senate judiciary committee and a long-time member of the Toledo Bar Association. He recommends Jeff for this position. State Senator Wagner, a Republican, said:

> [Jeff] is someone who has stood for principles, litigated honestly, and ably defended our constitutional system of government. Helmick is held in very high esteem by the local bar, and his support crosses partisan lines.

The bipartisan selection committee, which Senator Voinovich and I convened, did its job well, and today we must do our job.

Jeff Helmick understands the needs and challenges facing the Northern District of Ohio and our legal system generally. Rising costs of litigation and increasing size and scope of court dockets pose numerous challenges to any system of justice.

But it is because of his experience—and respect from fellow lawyers and judges he has worked with—that he is well prepared to meet these challenges.

He is a courtroom innovator, having worked with the courts to integrate cutting-edge technologies into courtrooms to ensure that the administration of justice is efficient, equal, fair, and open for all who seek it. I am not a lawyer, but that is what lawyering and the judiciary should be all about.

Outside the courtroom, Jeff is equally dedicated to serving the public. A supporter of pro bono services, he volunteers at the Maumee Valley Criminal Defense Lawyers Association to improve the professionalism of lawyers and access to justice for the underserved.

He is past president of the Pemberville Boys Ranch, which helps

troubled young men in need of a home or a safer environment to reach their potential. He will make an outstanding judge on the U.S. District Court for Ohio's Northern District. I agree with Judge Zouhary that ''we will find no better candidate than Jeff.''

That is why I urge my colleagues on both sides to confirm Jeff Helmick today.

The snail pace with which we have been moving on judicial nominations threatens to delay justice for far too many Americans. Right now, 15 judicial nominations reported favorably by the Judiciary Committee still await a Senate confirmation vote.

Today, nearly 1 in 10 Federal judgeships is vacant. Earlier this year, the nonpartisan Administrative Office of the Courts, the nonpartisan agency charged with running our Federal courts, declared a judicial emergency for Ohio's Northern District.

We need to act right now, today, to confirm Jeffrey Helmick. The people of Ohio have waited for too long. The result is that litigants in the Northern District of Ohio are experiencing delays in having their cases resolved. In too many cases, justice deferred can mean justice denied.

In June of 2010, U.S. District Judge James Carr took senior status, creating a vacancy in Toledo's Federal courthouse. That is almost precisely 2 years ago.

For these 2 years, Jeffrey Helmick—I spoke with him in August, if my memory is correct, saying I wanted to send his name to the President, and I told him the delay may be several months, maybe even 1 year, never dreaming that partisanship in this body would mean a 2-year delay. For almost 2 years, Jeffrey Helmick, who enjoys the enthusiastic support of Federal judges appointed by Presidents of both parties in Toledo, enjoys the bipartisan support of me and of Senator PORTMAN, the Republican from Ohio.

For these 2 years, he has had his nomination placed on hold, and this is at enormous political cost. Justice delayed is justice denied.

Jeff Helmick is not a partner at some big law firm where others can help him or take over his cases. Instead, he has had a small firm where the clients are his own. As a result, his practice and his clients have been placed in limbo, not knowing when he will be confirmed.

Some 2 years later, we can finally ensure that the U.S. District Court for the Northern District of Ohio finally has its longstanding vacancy filled.

Today, we can confirm Judge Helmick as a judge, a brilliant, distinguished lawyer who was nominated by a bipartisan commission whose members were appointed by former Senator George Voinovich and me.

We must confirm Jeff Helmick. He has the support of his colleagues and from Republicans and Democrats in my home State.

One more brief story. I came to the Senate, as the Presiding Officer did, in January of 2007. Soon after I came here, I was presented with the nomination of a potential Federal judge, now Judge Lioi, from Canton, OH. Judge Lioi, waiting and hoping to be a judge—I believe she was a common pleas judge. She had been selected by two republican Senators, Senator DeWine, my predecessor, and Senator Voinovich, neither of whom is in the Senate today. She had been selected and vetted by two Republican Senators in a process not nearly as bipartisan—or I don't think as vigorous or as rigorous as ours—nominated by President Bush and sent to the Senate. As a Senator from Ohio, I had the opportunity, if I had chosen, to block the nomination of Ms. Lioi.

So the chairman of the Judiciary Committee, controlled by the Democrats—my party—in considering a nominee by the Republican President, sent to the Senate by two Republican Senators, presented this candidate's name to me. I sat down with Ms. Lioi for perhaps an hour, interviewed her, talked to others who were familiar with her and her background, and found her to be a woman of integrity and found her to be qualified. I immediately sent her name to Senator LEAHY, the chairman of the Judiciary Committee, and said: She has my support. I don't know the precise date, but within only a few weeks of my coming to the Senate and meeting future Judge Lioi, her nomination came to the floor of the Senate and she was confirmed. Contrast that with what has happened today with dozens of judges.

I plead with my colleagues to confirm this qualified, smart man with great integrity from Toledo, OH, who has been vetted by both parties and who has waited long enough. More importantly, the people of the Northern District, where a judicial emergency has been declared, deserve this nomination to be confirmed so that he can begin to serve the people of the Northern District and the western area of the Northern District of the Federal District Court in Ohio.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. 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. BROWN of Ohio. Madam President, I ask unanimous consent that the time during the quorum call be equally divided.

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

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

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

D-DAY INVASION

Mr. BROWN of Ohio. Madam President, 68 years ago today, June 6, 1944, some 150,000 Americans, including many Ohioans, began what seemed like an impossible journey. Supreme Allied Commander Dwight Eisenhower called it ''the Great Crusade.''

At 6:30 on a fog-filled morning on June 6, 1944, our servicemembers made it to France. They waded onshore—past mines landed from the air, past sharpened stakes—and crawled toward gunfire. General Eisenhower told our sailors, soldiers, and airmen that the ''eyes of the world . . . the hopes and prayers of liberty-loving people everywhere'' were with them. A mere 50-mile stretch of the French coast—with places named Utah and Omaha, Gold and Juno Pointe du Hoc and Sword—was all that stood between humanity's freedom and Hitler's aggression. But our warriors—men such as Ohio's own PFC Frank E. Harget—did not give up.

Last May I had the honor of presenting Mr. Harget, of Akron, OH, the service medals he earned during World War II, some 67 or 68 years later.

Frank Harget joined the Army in September 1943 and was immediately sent to the European theatre. He was given the unenviable task of scout and was dispatched to the front lines to perform reconnaissance. His job was to gather intelligence on enemy forces. Many times, Mr. Harget told me, he was so close to the German front, he could see German soldiers eating their lunch. He served in five battle campaigns, from D-day to the Battle of the Bulge, and in Central Europe.

Mr. Harget was discharged in November 1945 after the war was over without receiving the Bronze Star he had earned. My office helped him finally receive that Bronze Star and seven other medals and awards. He helped our Nation and the world—think about living with this for the next 60 years of your life—overthrow an evil regime.

Today we recognize men like Frank Harget who overcame great odds thousands and thousands of miles from home.

D-day was the largest amphibious invasion in recorded world history, with 73,000 American troops, 61,000 British troops, 21,000 Canadian troops, and 195,000 allied naval and Merchant Marine personnel, with more than 5,000 ships involved.

After 24 hours, only 2,500 troops of the 101st and 2,000 of the 82nd Airborne Divisions were under the control of their parent units.

At Gold Beach, 25,000 men landed and some 400 were killed. At Omaha Beach, the U.S. 1st Infantry and the 29th Infantry Divisions found their sections to be the most heavily fortified of all the invasion beaches. The official record stated:

. . . within 10 minutes of the ramps being lowered, the leading company had become inert, leaderless and almost incapable of action. Every officer and sergeant had been killed or wounded. It had become a struggle for survival and rescue.

The 2nd Ranger Battalion had to scale 100-foot cliffs under the cover of night and then attack and destroy the German coastal defense guns at the massive concrete cliff-top gun emplacement at Pointe du Hoc. But despite these obstacles, young men such as Frank Harget from Akron, OH, who participated in this invasion fought and persevered and began the liberation of Europe with little else besides their training, their comrades, their courage, and their refusal to quit.

These men proved that the forces of freedom are strong. I would suggest that the forces of freedom are still strong today.

Members of the allied forces showed us the strength of humanity over tyranny. Franklin Roosevelt knew our D-day warriors would not ''rest until the victory is won.'' And we did win.

Today we salute the Frank Hargets of the world. There are still thousands of World War II veterans left. Most have died. Most who fought and survived D-day are no longer with us. Some still are. We salute them, and we salute those who went before them for running toward danger in order to secure peace.

Madam President, 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. GRASSLEY. 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. GRASSLEY. Madam President, today the Senate turns to another judicial nomination, Jeffrey J. Helmick to be U.S. district judge for the Northern District of Ohio. I want to tell the Senate why I oppose the nomination and urge all Senators to do likewise.

We continue to confirm the President's nominees at a very brisk pace. Just 2 days ago we confirmed the 147th judicial nominee of this President to district and circuit courts. Let me put that in perspective for my colleagues. We also have confirmed two Supreme Court nominees during President Obama's term. The last time the Senate confirmed two Supreme Court nominees was during President Bush's second term. And during President Bush's entire second term, the Senate confirmed a total of only 120 district and circuit court nominees. We have already confirmed 27 more nominees for President Obama than we did for President Bush in a similar period of time. And this is in a Presidential election year—typically a time when judicial confirmations are limited to consensus nominees. Yet here we are considering a controversial nomination. Perhaps the Senate could better spend this time working on critical issues facing our Nation, such as our massive debt, intolerable deficit spending, an anemic economy, unacceptable unemployment levels, high energy costs, and national security issues.

The advice and consent function of the Senate is a critical step in the appointment of Federal judges. In Federalist Paper No. 76, Alexander Hamilton wrote this:

To what purpose then require the co-operation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attention, or from a view to popularity.

In other words, the Senate has a role in preventing the appointment of judges who are unfit characters or political favors of any President or of those who are not qualified to serve as Federal judges.

What did our current President, then-Senator Obama say about this duty? He stated:

There are some who believe that the President, having won the election, should have the complete authority to appoint his nominee, and the Senate should only examine whether or not the Justice is intellectually capable and an all-around nice guy, that once you get beyond intellect and personal character, there should be no further question whether the judge should be confirmed. I disagree with this view. I believe firmly that the Constitution calls for the Senate to advise and consent. I believe that it calls for meaningful advice and consent that includes an examination of a judge's philosophy, ideology, and record.

Our inquiry of the qualifications of nominees must be more than intelligence, a pleasant personality, or a prestigious clerkship. At the beginning of this Congress, I articulated my standards for judicial nominees. I want to ensure that the men and women who are appointed to a lifetime position in the Federal judiciary are qualified to serve. Factors I consider important include intellectual ability, respect for the Constitution, fidelity to the law, personal integrity, appropriate judicial temperament, and professional competence. In applying these standards, I have demonstrated good faith in ensuring fair consideration of judicial nominees. I have worked with the majority to confirm consensus nominees. However, as I have stated more than once, the Senate must not place quantity confirmed over quality confirmed. These lifetime appointments are too important to the Federal judiciary and the American people to simply rubberstamp them. This is not a pro forma process that we are engaged in.

Last year I became increasingly concerned about some of the judicial nominees being sent to the Senate by this administration. In a few individual cases, it was very troublesome. Mr. Helmick's nomination fell into that category. When I apply the standard I mentioned and the standards that then-Senator Obama laid out or the standards expressed in the Federalist Papers, I reach the same conclusion. In my judgment, Mr. Helmick fails to meet the required standard and should not be confirmed.

The Senate process for reviewing the professional qualifications, temperament, background, and character is a long and thorough process. In Mr. Helmick's case, there were some issues that needed to be fully examined. At the conclusion of that lengthy process, a substantial majority of my political party—the Republicans—on the Judiciary Committee determined that this nomination should not be reported to the Senate. Nevertheless, we now have the nomination before us. Even so, there are reasons sufficient to oppose the nomination.

In 2000 Mr. Helmick faced disciplinary action for failing to comply with a court-issued subpoena. He refused to turn over an incriminating letter signed by a former client in the same case, which contained threats to a State witness. A grand jury issued a subpoena to obtain the letter, but Mr. Helmick refused to appear before the grand jury. The trial court found him in contempt of court. Mr. Helmick appealed, which caused the contempt sanction to be stayed. A three-judge panel of the Ohio Court of Appeals unanimously held that he was required to turn over the letter.

Mr. Helmick then appealed to the Ohio Supreme Court, which held that he must comply with the subpoena, although they lifted the contempt citation.

The Supreme Court of Ohio stated that Mr. Helmick's concerns regarding the attorney-client privilege were not enough to ''override the public interest in maintaining public safety and promoting the administration of justice.''

I do not think we should confirm to the bench individuals who are willing to put private interests over the public interest in the administration of justice.

I am concerned about Mr. Helmick's view on national security, as evidenced by his handling of terrorism cases as a defense attorney. In looking at the arguments he has made in court representing terrorists, I am concerned he may believe terrorism cases are less serious than other criminal cases, and that in turn causes some concern about how he might handle terrorism cases that may come before him, if confirmed.

For example, he represented the terrorist Wassim Mazloum. This terrorist was convicted by a jury of a conspiracy to kill U.S. troops overseas and of providing material support for terrorists. Those are very serious crimes. According to the sentencing guidelines, Mazloum deserved life in prison. Mr. Helmick argued ''that perhaps the life sentence that was called for in the advisory guidelines was too severe or too harsh.'' In the end, this terrorist did

not receive a life sentence, rather he received only an 8-year sentence—hardly a punishment or deterrent.

For these reasons and others I will vote no on this nomination and urge my colleagues to do likewise.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Madam President, I understand I have time remaining?

The PRESIDING OFFICER. The majority has 17 minutes 10 seconds.

Mr. LEAHY. Madam President, let me refer to the nomination that is before us. I know the distinguished senior Senator from Ohio will speak after me. Today the Senate will vote on the nomination of Jeffrey Helmick to fill a judicial emergency vacancy on the U.S. District Court for the Northern District of Ohio. I commend Senator BROWN and Senator PORTMAN for their diligence in securing a vote on this nomination. Mr. Helmick has the strong bipartisan support of his home State Senators. His nomination was voted out of the Judiciary Committee nearly 3 months ago by a bipartisan majority. I thank the majority leader for his work in bringing this nomination up for a final vote.

This is one of the nominations that I noted on Monday had been skipped, when we confirmed another district court judge. I look forward to working with Senator KYL and Senator MCCAIN to secure a vote on the nomination of Justice Andrew Hurwitz to fill a judicial emergency vacancy on the Ninth Circuit, working with Senator MENENDEZ and Senator LAUTENBERG to secure a vote on the nomination of Judge Patty Shwartz to fill a vacancy on the Third Circuit, and with Senator GRAHAM and Senator DEMINT to set a vote on the nomination of Mary Lewis to fill a vacancy in South Carolina.

I spoke on Monday about a recent Congressional Research Service report on judicial nominations. The report demonstrates what I have been saying for some time, that the time that nominations are being delayed from a final Senate vote is extraordinary. Pages 17 through 19 and figure 4 demonstrate the unprecedented obstruction. The median number of days President Obama's circuit court nominees have been delayed, from Committee report to a vote, has skyrocketed to 132 days, ''roughly 7.3 times greater than the median number of 18 days for the 61 confirmed circuit nominees of his immediate predecessor, President G.W. Bush.''

I ask unanimous consent that the summary of the CRS report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LEAHY. Mr. President, delay is being demonstrated again with respect to the nominations of Justice Hurwitz to the Ninth Circuit, Judge Shwartz to the Third Circuit, Richard Taranto to the Federal Circuit, and William Kayatta to the First Circuit. These are not controversial or ideologically driven nominees. Justice Hurwitz is strongly supported by Senator KYL and Senator MCCAIN; William Kayatta is strongly supported by Senator SNOWE and Senator COLLINS. Another point made by the Congressional Research Service is that fewer circuit court nominees have been confirmed than were confirmed during the first terms of any of President Obama's four predecessors President Reagan, President Geroge H.W. Bush, President Clinton, or President George W. Bush.

Similarly, district court nominees such as Mr. Helmick are being unnecessarily delayed. The median time from Committee vote to Senate vote has gone from 21 days during the George W. Bush presidency to 90 days for President Obama's district nominees. I wish Mr. Helmick had been confirmed back in March when he was first ready for a final Senate vote. He has been stalled for nearly 3 months. The Congressional Research Service report also notes that in contrast to President George W. Bush's district court nominees, who were confirmed at a rate of almost 95 percent, President Obama's district court nominees are being confirmed at a rate below 80 percent. And it concludes that ''the average time in the current Congress during which circuit and district court nominations have been pending on the Senate Executive Calendar before being confirmed has reached historically high levels.''

Once the Senate is allowed to vote on this nomination, we need agreement to vote on the 14 other judicial nominees stalled on the Executive Calendar. There are five more judicial nominees who had their hearing back on May 9 and should be voted on by the Judiciary Committee tomorrow. They too will need Senate votes for confirmation. Another point made by the Congressional Research Service in its recent report is that fewer of President Obama's district court nominees have been confirmed than were confirmed during the first terms of his four predecessors and vacancies remain higher now than when President Obama took office. Not a single one of the last three presidents has had judicial vacancies increase after their first term. In order to avoid this, the Senate needs to act on these nominees before adjourning this year.

Nor would that be unusual. As the Congressional Research Service Report makes clear, in 5 of the last 8 presidential election years, the Senate has confirmed at least 22 circuit and district court nominees after May 31. The notable exceptions were during the last years of President Clinton's two terms in 1996 and 2000 when they would not allow confirmations to continue. Otherwise, it has been the rule rather than the exception. So, for example, the Senate confirmed 32 in 1980; 28 in 1984; 31 in 1992; 28 in 2004 at the end of President George W. Bush's first term; and 22 after May 31 in 2008 at the end of President Bush's second term.

The Congressional Research Service Report about the treatment of President Obama's judicial nominations confirms what we already know that Senate Republicans have held President Obama's nominees to a different and unfair standard and engaged in unnecessary and harmful delays of consensus nominees.

James Fallows, a well-respected journalist at The Atlantic authored an internet article dated June 5, 2012 based on his reading of the CRS Report, which is entitled ''American Dysfunction Watch: State of the Judiciary.'' In this article, Mr. Fallows notes that Mr. Obama ''is the only president in the past few decades . . . to have more seats vacant as he began his reelection year than he inherited when he took office.'' Moreover, Mr. Fallows further highlights the following: ''During the Obama presidency thus far, fewer circuit court nominees have been confirmed by the Senate than were confirmed during the first terms of any of the four preceding Presidents (Reagan through G.W. Bush). Likewise, fewer Obama district court nominees have been confirmed by the Senate than were confirmed during the first terms of the four preceding presidents.''

The ranking member on the Judiciary Committee has noted that we are doing better than when his predecessor was the ranking republican on the Committee, and that is accurate. But we have not made up for the historically low confirmations allowed during that period or for the fact that in each of the last 2 years the Senate has adjourned without acting on 19 judicial nominations ready for final action each year.

Some seek to compare this first term of President Obama to President Bush's second 4-year term, but as the Congressional Research Service Report demonstrates, the proper comparison is to President Bush's first term. Nonetheless, I would remind the Senate that during President Bush's second term, the Republican majority managed the confirmation of 52 circuit and district court nominees while the Senate Democratic majority worked to confirm 68 judicial nominees during the last 2 years of that presidency and reduced vacancies to 34 while holding hearings and votes on judicial nominees well into September 2008.

The simple fact is that the Senate is still lagging far behind what we accomplished during the first term of President George W. Bush. During President Bush's first term we reduced the number of judicial vacancies by almost 75

percent. When I became chairman in the summer of 2001, there were 110 vacancies. As chairman, I worked with the administration and Senators from both sides of the aisle to confirm 100 judicial nominees of a conservative Republican President in 17 months.

Senate Democrats continued when in the minority to work with Senate Republicans to confirm President Bush's consensus judicial nominations well into 2004, a presidential election year. At the end of that presidential term, the Senate had acted to confirm 205 circuit and district court nominees. In May 2004, we reduced judicial vacancies to below 50 on the way to 28 that August. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically-driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and to significantly reduce judicial vacancies.

By comparison, the vacancy rate remains nearly twice what it was at this point in the first term of President Bush. While vacancies were reduced to 43 by June of President Bush's fourth year, in June of President Obama's fourth year they remain in the mid-70s. They remained near or above 80 for nearly 3 years. We are 30 confirmations behind the pace we set in 2001 through 2004. Of course, we could move forward if the Senate were allowed to vote without further delay on the 15 judicial nominees ready for final action. The Senate could reduce vacancies below 60 and make progress.

The Judiciary Committee should be voting on more judicial nominees this Thursday and we held a hearing for another three judicial nominees this afternoon. With cooperation from Senate Republicans, the Senate could make real progress and match what we have accomplished in prior years.

After today, we still have much more work to do to help resolve the judicial vacancy crisis that has persisted for more than 3 years. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hardworking Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

We need to work to reduce the vacancies that are burdening the Federal judiciary and the millions of Americans who rely on our Federal courts to seek justice. Let us work in a bipartisan fashion to confirm these qualified judicial nominees so that we can address the judicial vacancy crisis and so they can serve the American people.

Jeffrey Helmick was rated well qualified by a substantial majority of the ABA's Standing Committee on the Federal Judiciary. In his 22-year legal career as a litigator in private practice, Mr. Helmick has tried approximately 40 cases to verdict or judgment. Currently a principal at his law firm, Mr. Helmick has the strong support of his home state Senators, Democratic Senator SHERROD BROWN and Republican Senator ROB PORTMAN.

I join Senator BROWN and Senator PORTMAN in supporting the confirmation of Jeffrey Helmick.

EXHIBIT 1

[From the Congressional Research Service, June 1, 2012]

NOMINATIONS TO U.S. CIRCUIT AND DISTRICT COURTS BY PRESIDENT OBAMA DURING THE 111TH AND 112TH CONGRESSES

(By Barry J. McMillion, Analyst on the Federal Judiciary)

SUMMARY

Recent Senate debates in the 112th Congress over judicial nominations have focused on issues such as the relative degree of success of President Barack Obama's nominees in gaining Senate confirmation (compared with other recent Presidents) as well as the effect of delayed judicial appointments on judicial vacancy levels. The following report addresses these issues, and others, by providing a statistical overview of President Obama's nominees to U.S. circuit court of appeals and U.S. district court judgeships, current through May 31, 2012. Findings include the following:

President Obama thus far in his presidency has nominated 41 persons to U.S. circuit court judgeships, 29 of whom have been confirmed.

Of the 150 persons nominated thus far by President Obama to U.S. district court judgeships, 117 have been confirmed.

The greatest number of President Obama's circuit court nominees have been confirmed to the U.S. Court of Appeals for the Fourth Circuit (6) and the Second Circuit (5).

The greatest number of President Obama's district court nominees have been confirmed to judgeships located within the Ninth Circuit (22) and the fewest to district court judgeships within the First Circuit (3).

District court vacancies have grown in number over the course of the Obama presidency, from 42 judgeships vacant when President Obama took office to 59 at present. There currently are 13 circuit court vacancies (the same number as when President Obama took office).

During the Obama presidency thus far, fewer circuit court nominees have been confirmed by the Senate than were confirmed during the first terms of any of the four preceding Presidents (Reagan through G.W. Bush).

Likewise, fewer Obama district court nominees have been confirmed by the Senate than were confirmed during the first terms of the four preceding Presidents.

President Obama is the only one of the three most recent Presidents to have begun his fourth year in office with more circuit and district court judgeships vacant than when he took office.

During the Obama presidency, the average waiting time from nomination to committee hearing has been, thus far, 69.6 days for circuit court nominees and 83.2 days for district court nominees.

During the Obama presidency, the average waiting time from Senate Judiciary Committee report to Senate confirmation has been 139.7 days for circuit court nominees and 105.1 days for district court nominees.

Various factors might help explain differences or variation found in judicial appointment statistics across recent presidencies.

A President's opportunities to make circuit and district court appointments will be affected by the number of judicial vacancies existing at the time he takes office, as well as by how many judges depart office, and how many new judgeships are statutorily created, during his presidency.

The time taken by a President to select nominees for judicial vacancies may be affected by whether the selection of lower court nominees must compete with filling a Supreme Court vacancy, whether the selection process itself is a priority for a President, the level of consultation between a President and a nominee's home state Senators, and the time taken by home state Senators to make judicial candidate recommendations.

Institutional and political factors which may influence the processing of judicial nominations by the Senate include ideological differences between the President and the opposition party in the Senate, the extent of interest group opposition to certain nominees, the presence or absence of ''divided government,'' the point in a congressional session when nominations arrive in the Senate, whether nominees have the support of both of their home state Senators, and whether the blue slip policy of the Senate Judiciary Committee requires the support of both home state Senators before a nominee can receive a hearing or committee vote.

Mr. LEAHY. I yield the remainder of my time to the distinguished senior Senator from Ohio.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The distinguished Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I appreciate the kind words and the insight from Chairman LEAHY and his leadership on trying to speed up the confirmation process on a whole host of judges.

I have a lot of respect for my colleague from Iowa, but I take exception with a couple of things he said. No. 1, he compared the number of nominations during the second Bush 4 years with the first 4 Obama years and said that the Senate was more cooperative now than it was then. Clearly it was apples and oranges. We know—almost any schoolkid in America now knows—the dysfunction of the Senate in terms of the minority party blocking all kinds of things, from medium- to low-level Federal appointments to the executive branch, to district court judges, to legislation. So I think Senator LEAHY has addressed that very aptly, and I don't need to go into detail there.

Senator LEAHY also has spoken to the two public criticisms—shallow and vacuous that they are—of Jeffrey Helmick. The one on him representing terrorists, I am not a lawyer, but I know that when a Federal judge asks a lawyer to represent somebody, the lawyer does it, as Jeffrey Helmick did. And, as Senator LEAHY said on the ethics issue, the Ohio Court of Appeals said that Mr. Helmick should be commended. The supreme court agreed

unanimously that the letter they talked about was a client secret and that Mr. Helmick acted in good faith. So those criticisms don't really stand the test of time in that way.

Again, I thank Senator LEAHY and the Judiciary Committee for moving as quickly as they could move. This is a difficult time. At times, there is Senate dysfunction and the minority party blocks or slow-walks some of these nominees.

Jeffrey Helmick has been supported by a bipartisan, rigorous committee of 17 who come from the Southern District of Ohio and who help to choose nominees for the Northern District of Ohio. I spoke personally with all but 1 or 2 of those 17 Republicans and Democrats around whom consensus was formed in support of Jeffrey Helmick. They think he is an outstanding lawyer, jurist, and potential Federal judge. The other Federal judges in the western region of the Northern District Court in Ohio, which is out of Toledo—including a judge nominated by President George W. Bush—enthusiastically support Jeffrey Helmick.

Senator GRASSLEY said he was a controversial nominee. He is only controversial in the Senate Judiciary Committee and among some of my colleagues. He is not controversial in Ohio, where they know Jeffrey Helmick the best. He is not controversial in the Toledo bar. He is not controversial among people who know Jeffrey Helmick and who have watched him perform his service to his community and watched him professionally and the way that he does his job as a lawyer in Toledo, OH, in Federal court or in State court. So the fact is, he is not a controversial nominee. He is only a controversial nominee in the U.S. Senate and in some places in Washington, DC. But we know he is qualified, and we know he is ready to serve.

I ask my colleagues to vote today to confirm Jeffrey Helmick to the U.S. Federal court in the Northern District of Ohio.

Mr. LEAHY. Mr. President, Jeffrey Helmick was rated "well qualified" by a substantial majority of the ABA's Standing Committee on the Federal Judiciary. In his 22-year legal career as a litigator in private practice, Mr. Helmick has tried approximately 40 cases to verdict or judgment. Currently a principal at his law firm, Mr. Helmick has the strong support of his home State Senators who have spoken in support of this nomination. He was also voted out of the Judiciary Committee nearly 3 months ago by a bipartisan majority. Given his distinguished record in private practice and his bipartisan support, I trust that he will be confirmed.

Some have chosen to criticize Mr. Helmick for his role as court-appointed defense counsel. Those who criticize him may not understand how our justice system works. Our legal system is an adversary system, predicated upon legal advocacy for both sides. That is what Mr. Helmick did at the request of the court.

No nominee should be disqualified for representing clients zealously. At his confirmation hearing to become the Chief Justice of the United States, John Roberts made the point:

"[I]t's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients. The most famous example probably was John Adams, who represented the British soldiers charged in the Boston Massacre. He did that for a reason, because he wanted to show that the Revolution in which he was involved was not about overturning the rule of law, it was about vindicating the rule of law.

Our Founders thought that they were not being given their rights under the British system to which they were entitled, and by representing the British soldiers, he helped show that what they were about was defending the rule of law, not undermining it, and that principle, that you don't identify the lawyer with the particular views of the client, or the views that the lawyer advances on behalf of the client, is critical to the fair administration of justice."

Mr. Helmick was appointed by the court to represent a defendant and he had an ethical obligation to advocate zealously for that client. That was what he did, and he should not now be punished for doing his duty.

In addition, there has apparently been an objection to Mr. Helmick's handling of an ethical dilemma where he refused to disclose a client secret. This is particularly odd because the Ohio Court of Appeals who heard the case stated that Mr. Helmick "should be commended for his professional and ethical behavior in a very difficult situation." In addition, although a divided Ohio Supreme Court ultimately ordered disclosure of the letter based on a balancing test in a 4 3 decision, the Court nevertheless agreed unanimously with Mr. Helmick that the letter was a client secret. Indeed, the Ohio Supreme Court stated that Mr. Helmick acted in good faith.

Let us confirm this good man and not try to tarnish his distinguished reputation. I join Senator BROWN and Senator PORTMAN in urging a vote for confirmation.

I yield back the remaining time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, will the Senate Advise and Consent to the nomination of Jeffrey J. Helmick, of Ohio, to be U.S. District Judge for the Northern District of Ohio?

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 116 Ex.]

YEAS—62

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

NAYS—36

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

NOT VOTING—2

Kirk	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislation session.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Utah.

WISCONSIN RECALL ELECTION

Mr. HATCH. Mr. President, I rise to comment on the results of last night's recall election in the State of Wisconsin. After nearly 2 years of heated political debate, the people of Wisconsin made it clear last night that they are not suffering from buyers' remorse. Two years ago, they elected leaders committed to solving their State's budget crisis. Last night, they stood by those leaders for making the hard choices that turned Wisconsin's deficit into a surplus.

Yesterday's election was very important. It was important because of the example it provides to the Nation and the world of how a democracy should work, with citizens who disagree vehemently about policy nonetheless coming together to accept the results of an open and fair election.

It was important because of the message it sends with respect to public employee unions. Last night's results serve as yet another reminder that the

American people want serious answers to our Nation's fiscal problems, and they are tired of having labor unions dictate the terms of our economic recovery.

Scott Walker never hid his agenda. He ran for office on a platform of reducing State spending, and Governor Walker immediately began addressing the State's problems after taking office. So what egregious acts did Governor Walker commit during his first months in office to trigger this recall? First of all, his budget repair bill actually required Wisconsin State employees to contribute more to their pensions. Prior to passage of the Walker budget, many State employees did not contribute to their retirement benefits.

You heard that right. Facing a massive State deficit, Governor Walker determined that Wisconsin taxpayers should no longer foot the entire bill for the generous pensions of public employees. In other words, he asked State public employees to do what private sector employees have done for a generation, contribute to their own retirement plan.

Next, he required that State employees pay a larger share of their health care premiums. The new law requires State employees to pay 12.6 percent of their health care premiums. By contrast, Federal employees pay at least 25 percent of their health care premiums.

To put these reforms in terms that his liberal detractors might appreciate, the Governor was just asking for a little shared sacrifice. Instead of pitching in, however, the State's public employees pitched a fit. Then, most significantly, Governor Walker reformed a collective bargaining system for State employees. Above all else, it was this decision that triggered the meltdown in Wisconsin last year and ultimately led to the recall.

Facing the possibility that a State might successfully limit union influence and excesses, national labor groups turned Wisconsin into the frontlines of labor agitation. I know some have tried to give me a reputation of being anti-union. That is ridiculous because I was raised in a union movement. I held a card for basically 10 years as I worked as a skilled tradesman in the construction industry.

But, in fact, I am not opposed to unionization if that is what employees truly want. I simply believe workers should be free to choose whether to unionize and do so in an environment that is free of coercion or intimidation.

Once unions are formed, I do not believe they should enjoy disproportionate bargaining power in their negotiations with management. That said, unions of public sector employees present a unique set of issues for taxpayers and voters. Public sector unions have inherent advantages in negotiations that private sector unions do not. Most notably, public sector unions use their substantial influence in State politics to elect the very officials with whom they will be negotiating their union contracts.

As the academic Dan DiSalvo and many others have recognized, when the Ford Motor Company negotiates with the American Auto Workers, it is an arm's length negotiation, with both parties having an interest in the ongoing success of the firm. Yet public employee unions effectively negotiate with themselves. There is no distance between them and the public officials they helped to elect and expect payback from.

Franklin Roosevelt understood that because public employee unions could elect their own boss, ''the process of collective bargaining, as usually understood, cannot be transplanted into the public service.''

George Meany, the first head of the AFL CIO, knew this relationship made it ''impossible to bargain collectively with the government.''

These critical points are lost on today's Democratic Party, which increasingly depends on the foot soldiers and largesse provided by these unions. As a result, we have an untenable situation, where public sector unions are, in effect, negotiating against the taxpayers. After all, their salaries and benefits come at the expense of the taxpayers.

The fiscal impact of these rigged negotiations is most evidence in States with the biggest budget problems. California faces a budget deficit of nearly $16 billion this year alone. It has $65 billion in unfunded liabilities in its teachers' pension system and $136 billion in unfunded liabilities for its largest city and county employee pension system.

The Illinois public employee pension system now has $83 billion in unfunded liabilities. So far, comprehensive efforts to reform these systems and bring down costs have been stymied for one simple reason: Politicians in those States do not have the courage of people such as Gov. Scott Walker.

Our folks here who support the unions ought to be happy this is happening because they themselves may not be able to accomplish this. The courageous Governors, such as Governor Walker, can, and in the end they are better off as Democrats because they have some reasonable approach toward some of these enormous problems that are affecting our States.

Instead of reforming their systems, these States have more often opted to raise taxes to attempt to eliminate the shortfalls. Yet most of the States with the highest unfunded liabilities already have higher-than-average tax rates.

Despite their many faults, private sector unions have a stake in the U.S. economy and the profitability of American businesses. Indeed, they have a built-in incentive to ensure continued economic growth. True enough, they do not always act in accordance with that interest, which is probably the biggest reason why today less than 7 percent of private sector workers belong to a union. But, nevertheless, they need some level of continued growth in order to further their existence.

Public sector unions are an entirely different animal with a completely different set of interests. Unlike private sector businesses, State governments are not required to turn a profit. State officials are accountable to voters, but, unlike stockholders, most voters do not have the same expectations to see returns on their investments.

That being the case, public sector unions lack the same incentive to see their negotiating counterparts succeed. There are no forces limiting their incentive to simply maximize benefits for their membership, regardless of what it might cost their employers. In order to succeed, even the most ambitious and shrewd private sector union needs to account for its employer's ability to grow and expand.

Public sector unions are not subject to these sorts of limitations. That is probably why they have been so successful. Today, about 37 percent of government employees belong to a union, which is five times the unionization rate in the private sector. So it is easy to see why Big Labor pulled out all the stops to recall Governor Walker. Public sector unions are the future of the labor movement. Because of the long, steady decline of private sector unions, Big Labor knows it must maintain the strength of public sector unions in order to remain relevant. Yet at the same time, the States that employ them face incredibly difficult budgetary decisions in the coming years and I believe without the ability to be able to get them under control because of the controls of the major parties.

Let's be clear about what it would mean if public employee unions prevailed in these fights. It means that instead of reducing spending, States will have to raise taxes. It means that instead of eliminating government waste, States will have to maintain the status quo, and, ultimately, it means States will have to make a choice between paying their bills on the one hand and growing their economies on the other.

Going forward, it is absolutely vital that more States follow Wisconsin's example. States should not have to choose between educating their kids and paying the full freight of public employee pensions. During such difficult economic times, they should not have to raise taxes in order to keep their employees from having to pay a reasonable share of their own benefits. In short, States should have the ability to balance budgetary priorities without being thwarted at every turn by public employee unions that are only concerned with their own interests.

Last night and this morning, the pundits were in full gear, dissecting the results in Wisconsin and prognosticating about the election's long-term impact. To me, this exercise in democracy demonstrates two things. First, the failure of the unions and the national Democratic Party was not a failure of messaging or money. It was a failure of ideas.

Richard Weaver once wrote that ideas have consequences. That is absolutely true. The ideas that Governor Walker proposed were reasonable ones that addressed a critical fiscal situation without undermining essential services in his State. Second, it is clear the Democratic Party of Franklin Roosevelt, a party of blue-collar, private sector workers, has morphed into a party dominated by white-collar, public workers.

The American people, beginning with Wisconsin, are rejecting this Democratic Party and the priorities of its most influential stakeholders. The silent majority that gets up every day and goes to work in the private sector is losing its appetite for allowing public employee unions to dictate the Nation's fiscal policy.

There is one video going around of an opponent of Governor Walker's near tears and saying that democracy was denied tonight. Au contraire. Democracy is alive and well in Wisconsin and around the Nation, and the American people are going to have their say. Last night's results should serve as a reminder of the need to face our perilous fiscal situation honestly and squarely.

It should also remind us that the American people will not punish leaders who stand and do the right thing, even in the face of powerful and vengeful opposition.

My hope is that the experience in Wisconsin will be replicated around the country.

To borrow from one of Wisconsin's patron saints, Vince Lombardi, ''Winning is a habit. Unfortunately, so is losing.''

The unions have now had three bites at the apple since Governor Walker was first elected. Each time they have come up short. By prevailing, Governor Walker and Republicans in Wisconsin should stiffen the spines of conservatives who might have been previously unwilling to take on these public sector unions—public employee unions, if you will. By losing, those unions have shown themselves to be increasingly desperate and out of touch with the sentiments and concerns of everyday citizens and taxpayers.

Mr. President, I commend Governor Walker and his efforts to secure a prosperous future for the citizens of Wisconsin. His courage in the face of significant opposition is a model of statesmanship, and I look forward to working with him for many years to come.

Look, we all know the public sector unions have been out of control for a long time. Throughout the country, benefits paid to public employees have outpaced those in the private sector, and that includes Federal Government employees where the average pay is $80,000 a year compared to $50,000 for the private sector. We all know that is justified in the eyes of some because it is ''so expensive'' to live in Washington, DC, or nearby. Why is it that expensive? Because we have built the Federal Government at all costs, and we allow it to spend and spend rather than find more ways of living within our means.

There is a part of me that wishes we could move a number of these agencies out of Washington and put them out with the real people throughout our country who have to live within their means, and who don't have huge Washington, DC, salaries, which are huge to the average person, but not always to the people who work in this very expensive town. There they can mingle with the everyday people in this country who are paying the freight.

By the way, we all know that according to the Joint Committee on Taxation, the bottom 51 percent of all households don't pay any income tax or freight. There is a method in that madness, it seems to me. But it is the wrong method. Sooner or later we are all going to have to help pull the wagon and not just sit in the wagon and take advantage of everybody else. It ought to be done on a reasonable and decent basis.

But, once again, we all know the public sector unions are out of control. The States where they have the biggest problems are the States where the public sector unions have dominated their elected politicians over and over and over again, so the elected politicians are afraid to take them on, afraid to do the things that would straighten out their States, as Governor Walker has said.

Instead of finding a lot of fault with Governor Walker, if I were a Democrat, I would be saying: Thank God, somebody stood up. The fact is he has stood up, and he should be given credit for that not condemnation.

Frankly, I am very proud of the people of Wisconsin for standing up the way they did. I think other States are going to have to do that, too, or there are going to be problems like we have never seen before. We can name the States that have the problems. In almost every case they are blue States.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Rhode Island is recognized.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, it has become sort of a personal tradition of mine to come to the floor each week to report on the status of the dangers to our Earth and climate from the relentless carbon pollution that we have to face, and this is a bellwether week. This is our first week back in session in the Senate since our break last week, and during that time we have had a first. There were reports from the atmospheric measuring station that the carbon dioxide in the atmosphere broke 400 parts per million.

The Christian Science Monitor has reported on this, stating monitoring stations across the Arctic this spring are measuring more than 400 parts per million of the heat-trapping gas carbon dioxide in the atmosphere. The number isn't quite a surprise because it has been rising at an accelerating pace.

Years ago, it passed the 350 parts-per-million mark that many scientists say is the highest safe level for carbon dioxide. It now stands globally at 395.

The story continues, saying it has been at least 800,000 years—probably more—since Earth saw carbon dioxide levels in the 400s, according to the climate scientists involved. They point out that the Arctic is the leading indicator in global warming, both in carbon dioxide in the air and in its effects.

Pieter Tans, a senior NOAA scientist, says this is the first time the entire Arctic has been that high. He calls a 400 number ''depressing.''

The Christian Science Monitor also reported that global carbon dioxide emissions from fossil fuels hit a record high of 34.8 billion tons released in 2011.

Another report from the Sustainable Business News said readings are coming in at 400 parts per million and higher all over the Arctic. They have been recorded in Alaska, Greenland, Norway, Iceland, and even Mongolia; and 400 parts per million is beyond what scientists consider ''safe'' in terms of human society.

It goes on saying in reporting of a 2009 paper in the journal Science, researchers concluded ''the only time in the last 20 million years that we find evidence for carbon dioxide levels similar to the [then] modern level of 387 parts per million was 15 to 20 million years ago, when the planet was dramatically different.''

It also says:

> How different? It says that ''Global temperatures were 5 to 10 degrees Fahrenheit higher than they are today. The sea level was 75 to 120 feet higher than it is today, there was no permanent sea ice cap in the Arctic and very little ice on Antarctica and Greenland.''
>
> According to NASA's leading climate scientist, James Hanson, ''that level of heat-trapping gases would assure that the disintegration of the ice sheets would accelerate out of control. Sea levels would rise and destroy coastal cities. Global temperatures would become intolerable, and 20 to 50 percent of the planet species would be driven to extinction. Civilization would be at risk.

So this was a somber benchmark to have passed. As I have said before, we have had the experiences—humankind—of living within a bandwidth between 190 and 300 parts per million of carbon dioxide for about 800,000 years, which is going back into the very early days of our species—even before then.

I think the famous Lucy, the prehistoric human, was 150,000, 160,000 years ago. So this goes way back before then. We started agriculture about 10,000 years ago. Before then, we were picking things off of trees and hunting small animals. We weren't even farming yet.

When we go back 800,000 years, that is basically for as long as we can imagine on this planet, without going back into previous geologic eras. That has been the bandwidth—800,000 years, 190 to 300 parts per million. We rocketed

out of that and blew through 350 several years ago, and now we have gone through 400, at least in the Arctic, and that is where we will go global-wide if this continues. There is no reason it will not continue because we keep increasing the amount of carbon pollution we emit into the atmosphere.

I regret I have to come here every week and continue to bring grim news, but that is the fact, and the day will come when we are going to have to deal with it. I hope it is not too late for us when we finally get around to it. There is the prospect that it is too late because once the carbon is up in the atmosphere, it continues to do its work.

The campaign that has been deployed to try to diminish the science of climate change, to try to confuse the public, and try to create a disabling measure of doubt has been reprehensible. It is based on falsehood. It is steeped in impropriety and special influence. It is inhibiting the ability of the Congress to do its job for the American people—not because there is any real doubt about the science but because the special interests that benefit from the status quo have entirely inappropriate levels of influence in this body, and they are insisting either directly or through phony front organizations, such as the Heartland Institute, which has recently put itself in jeopardy by comparing people who think climate change is actually happening to the Unabomber—now, there is a responsible public debate. That blew up in their faces because they had gone too far. The lying, the phony science, taking money from the polluters, and the phony operation they ran didn't go too far. The comparison to Ted Kazinski, the Kazinski billboard was that one step too far.

There is some pushback on that, but that doesn't lift the burden on the polluting industries that are manipulating and maneuvering in Washington to prevent us from doing what needs to be done and doing so through false and phony organizations. Even if the Heartland Institute is gone, there are plenty of others, and the process continues.

I think it is going to be a very harsh judgment that history brings to bear on this generation of Representatives and Senators that, as a body, we were willing to step away from our duty when the signal was clear. We were willing to listen to the siren song of special interests. We put their money in our pockets. We put our consciences on hold. We put the blinders on about the facts, and we marched forward foolishly when we should have been preparing.

I am going to continue to do this. I hope the point comes soon when we can begin to realize that putting a price on carbon pollution, developing American clean energy that creates American clean energy jobs and begin to take care of this world as it increasingly sends us warnings about the damage that we are doing is the right and wise and proper thing to do.

With that, I yield the floor.

HONORING OUR ARMED FORCES

CALIFORNIA CASUALTIES

Mrs. BOXER. Mr. President, I rise today to pay tribute to 27 servicemembers from California or based in California who have died while serving our country in Operation Enduring Freedom since March 1, 2012. This brings to 351 the number of servicemembers either from California or based in California who have been killed while serving our country in Afghanistan. This represents 18 percent of all U.S. deaths in Afghanistan.

Cpl Conner T. Lowry, 24, of Chicago, IL, died March 1 while conducting combat operations in Helmand province, Afghanistan. Corporal Lowry was assigned to 2nd Battalion, 11th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Edward J. Acosta, 21, of Hesperia, CA, died March 5 in La Jolla, CA, of injuries sustained December 3, 2011, when his vehicle was struck by an improvised explosive device in Wardak province, Afghanistan. Specialist Acosta was assigned to 2nd Battalion, 5th Infantry Regiment, 3rd Brigade Combat Team, 1st Armored Division, Fort Bliss, TX.

CPT Francis D. Imlay, 31, of Vacaville, CA, died March 28 from injuries received in an accident involving an F 15 aircraft near a base in Southwest Asia. Captain Imlay was assigned to the 391st Fighter Squadron, Mountain Home Air Force Base, ID.

Cpl Michael J. Palacio, 23, of Lake Elsinore, CA, died March 29 while conducting combat operations in Helmand province, Afghanistan. Corporal Palacio was assigned to Headquarters Battalion, 3rd Marine Division, III Marine Expeditionary Force, Okinawa, Japan.

Cpl Roberto Cazarez, 24, of Harbor City, CA, died March 30 while conducting combat operations in Helmand province, Afghanistan. Corporal Cazarez was assigned to the 1st Light Armored Reconnaissance Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Alex Martinez, 21, of Elgin, IL, died April 5 while conducting combat operations in Helmand province, Afghanistan. Corporal Martinez was assigned to the 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CN Trevor J. Stanley, 22, of Virginia Beach, VA, died April 7 while deployed to Camp Lemonnier, Djibouti. Constructionman Stanley, a Seabee, was assigned to Naval Mobile Construction Battalion 3, homeported in Port Hueneme, CA.

LCpl Ramon T. Kaipat, 22, of Tacoma, WA, died April 11 while conducting combat operations in Helmand province, Afghanistan. Lance Corporal Kaipat was assigned to 1st Light Armored Reconnaissance Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CW2 Nicholas S. Johnson, 27, of San Diego, CA, died April 19 in Helmand province, Afghanistan, when his Black Hawk (UH 60) crashed. Chief Warrant Officer Johnson was assigned to the 2nd Battalion, 25th Aviation Regiment, 25th Infantry Division, Wheeler Army Airfield, HI.

SSgt Joseph H. Fankhauser, 30, of Mason, TX, died April 22 while conducting combat operations in Helmand province, Afghanistan. Staff Sergeant Fankhauser was assigned to 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Manuel J. Vasquez, 22, of West Sacramento, CA, died April 24 in Paktika province, Afghanistan. Specialist Vasquez was assigned to the 2nd Battalion, 28th Infantry Regiment, 172nd Infantry Brigade, Grafenwoehr, Germany.

SGT Moises J. Gonzalez, 29, of Huntington Beach, CA, died April 25 in Balkh province, Afghanistan, of injuries sustained when his vehicle rolled over. Sergeant Gonzalez was assigned to the 509th Combat Service Support Company, 504th Battlefield Surveillance Brigade, Fort Hood, TX.

SSG Andrew T. Britton-Mihalo, 25, of Simi Valley, CA, died April 25 in Kandahar province, Afghanistan, of injuries sustained from small arms fire. Staff Sergeant Britton-Mihalo was assigned to the 2nd Battalion, 7th Special Forces Group, Eglin Air Force Base, FL.

LT Christopher E. Mosko, 28, of Pittsford, NY, died April 26 while conducting combat operations in Nawa district, Ghazni province, Afghanistan. Lieutenant Mosko was assigned as a Navy Explosive Ordnance Disposal (EOD) Platoon Commander to Combined Joint Special Operations Task Force, Afghanistan. He was stationed at EOD Mobile Unit 3, San Diego, CA.

MSgt Scott E. Pruitt, 38, of Gautier, MS, died April 28 while conducting combat operations in Helmand province, Afghanistan. Master Sergeant Pruitt was assigned to I Marine Expeditionary Force Headquarters Group, I Marine Expeditionary Force, Camp Pendleton, CA.

PFC Christian R. SanNicolas, 20, of Anaheim, CA, died April 28 in Kandahar province, Afghanistan, of injuries sustained when his vehicle encountered an improvised explosive device. Private First Class SanNicolas was assigned to 1st Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

Sgt John P. Huling, 25, of West Chester, OH, died May 6 while conducting combat operations in Helmand province, Afghanistan. Sergeant Huling was assigned to 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA.

SSG Thomas K. Fogarty, 30, of Alameda, CA, died May 6 in Ahmad-Kheyl, Afghanistan, from injuries sustained when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Fogarty was assigned to the 3rd Battalion (Airborne), 509th Infantry Regiment, 4th Brigade Combat Team (Airborne), 25th Infantry Division, Joint Base Elmendorf-Richardson, AK.

SPC Chase S. Marta, 24, of Chico, CA, died May 7 in Ghazni province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Specialist Marta was assigned to the 3rd Squadron, 73rd Cavalry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

Sgt Wade D. Wilson, 22, of Normangee, TX, died May 11 while conducting combat operations in Helmand province, Afghanistan. Sergeant Wilson was assigned to 2nd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SGT Brian L. Walker, 25, of Lucerne Valley, CA, died May 13 in Bowri Tana, Afghanistan, when the enemy attacked his vehicle with an improvised explosive device. Sergeant Walker was assigned to the 425th Brigade Special Troops Battalion, 4th Brigade Combat Team (Airborne), 25th Infantry Division, Joint Base Elmendorf-Richardson, AK.

PO1 Ryan J. Wilson, 26, of Shasta, CA, died of complications associated with a medical condition May 20 in Manama, Bahrain. Petty Officer First Class Wilson was assigned to U.S. Naval Forces Central Command headquarters in Bahrain.

2LT Travis A. Morgado, 25, of San Jose, CA, died May 23 in Zharay, Afghanistan, of injuries sustained when insurgents attacked his patrol with an improvised explosive device. Second Lieutenant Morgado was assigned to the 5th Battalion, 20th Infantry Regiment, 3rd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

Cpl Keaton G. Coffey, 22, of Boring, OR, died May 24 while conducting combat operations in Helmand province, Afghanistan. Corporal Coffey was assigned to 1st Law Enforcement Battalion, 1st Marine Headquarters Group, 1st Marine Expeditionary Force, Camp Pendleton, CA.

SPC Vilmar Galarza Hernandez, 21, of Salinas, CA, died May 26 in Zharay, Kandahar province, Afghanistan, when enemy forces attacked his unit with an improvised explosive device. Specialist Galarza Hernandez was assigned to the 4th Battalion, 23rd Infantry Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

SPC Tofiga J. Tautolo, 23, of Wilmington, CA, died May 27 in Bati Kot, Nangarhar province, Afghanistan, of wounds sustained when his vehicle was attacked with an enemy improvised explosive device. Specialist Tautolo was assigned to the 3rd Squadron, 61st Cavalry Regiment, 4th Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

LCpl Joshua E. Witsman, 23, of Covington, IN, died May 30 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Witsman was assigned to 2nd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

RECOGNIZING THE CROATIAN CULTURAL GARDEN

Mr. PORTMAN. Mr. President, today I wish to honor the Croatian Cultural Garden committee of the Croatian Heritage Museum and Library in the city of Cleveland. This garden will serve both to celebrate the rich cultural achievements and contributions of people of Croatian heritage, as well as to create an educational legacy which future generations may enjoy for years to come. Cleveland's Croatian community has worked to make this garden a reality for the past 3 years, and the first phase of this project was completed and dedicated on June 3, 2012.

Since 2009, the Croatian community has worked diligently to raise the funding necessary to realize this goal, as well as to design, plan, and establish this garden in Cleveland's Rockefeller Park.

With this dedication, the Croatian Cultural Garden will join others in the chain of the Cultural Gardens along Martin Luther King Boulevard in Cleveland. These gardens were dedicated over 75 years ago with the goal of recognizing and preserving the diversity of culture that has enriched northeast Ohio and our county.

Mr. President, for the continuing support of the Croatian community, I would like to recognize the Croatian Cultural Garden Committee and join in celebrating the dedication of this project.

ADDITIONAL STATEMENTS

RECOGNIZING THE SHINE FAMILY FOUNDATION

• Mr. HELLER. Mr. President, today I wish to recognize an organization from my home State of Nevada whose continued dedication to our Nation's active military, veterans, and their families is inspiring. As the Shine Family Foundation celebrates their first anniversary of becoming a recognized nonprofit organization, I thank them for their commitment to assisting our country's military community during times of hardship. We rely on organizations like the Shine Family Foundation to ease the stress that military families face when a family member is deployed. I applaud the Shine Family Foundation for their commitment to our heroes who sacrifice so much to keep America safe.

The Shine Family Foundation was founded to address the needs of military personnel and their families when they are separated due to prolonged and often multiple deployments. As their loved ones are far away from home sacrificing their own well-being for the safety of our Nation, military families often struggle with hardships while they are apart. Having a brother who served overseas, I understand the sacrifices that military families make when a loved one is deployed.

The Shine Family Foundation is committed to ensuring soldiers deployed across the globe are able to connect with their families back home. Last year, the Shine Family Foundation's gifting program helped provide school supplies, Christmas gifts, food, gift cards, and phone cards to more than 100 military families. Recognizing the changing dynamics of our military force, the foundation also provides assistance to veterans returning from Active Duty to help welcome them home. They also offer a mentoring program for young children whose parents or siblings are serving in war zones.

I commend the Shine Family Foundation's commitment to honor and give back to our military communities. We must always remember the brave men and women in uniform and their families who make grave sacrifices to protect our freedom. As their organization grows, I know they will maintain a commitment to touching the lives of our troops and their families. Today, I ask my colleagues to join me in recognizing this honorable organization for all they do for our Nation's heroes.•

REMEMBERING DR. JAN KARSKI

• Mr. LIEBERMAN. Mr. President, I wish to pay tribute to Dr. Jan Karski, who, as a young officer in the Polish Underground during the Second World War, was among the first to provide eyewitness accounts of the Holocaust to the world.

Shaped by his own personal loss during one of the darkest hours in human history, Dr. Karski had the moral clarity to make distinctions between good and evil, and the personal courage to speak out and fight for good and against evil. After being captured and tortured by the Nazis, Dr. Karski escaped and became a courier for the Polish Underground, smuggling information out of Poland to the Polish government-in-exile. Among his many missions, Dr. Karski, who was Roman Catholic, twice infiltrated Warsaw's Jewish Ghetto through a series of underground tunnels disguised as a Nazi auxiliary guard.

Dr. Karski showed fearlessness in the face of a regime built on fear, and he was not afraid to challenge conventional wisdom and take on the enemies of freedom. In 1943, Dr. Karski traveled to the United Kingdom and the United States, where he was the first credible eyewitness to brief British Foreign Minister Anthony Eden and President

Roosevelt about the Holocaust in an effort to build international pressure against Hitler and the Nazi regime. While his pleas did not lead to the quick action that they deserved, Dr. Karski persisted in reporting on the brutality that would ultimately prompt meaningful international intervention.

After the war, Dr. Karski resettled in the United States, where he earned his doctorate from Georgetown University and taught for 4 decades, warning generations of students about the dangers of authoritarianism, including one notable student: President Bill Clinton. During his lifetime and following his death in 2000, Jan Karski was and has been the recipient of dozens of international awards honoring his courageous work. I was proud to join my colleagues Senators MIKULSKI, LEVIN, and CARDIN last year in writing to President Obama to urge his consideration of Dr. Karski for highest civilian honor—the Presidential Medal of Freedom. I am delighted that President Obama announced at the Holocaust Memorial Museum last month that Dr. Karski will be honored posthumously with the award later this month.

The choice to confront tyranny is not an easy one, but it is America's responsibility and purpose as a Nation. Through his decades of devoted service, Jan Karksi carried out this mission and lived its values. And in doing so, he was a champion of the cause that has defined our country since its birth—the cause that has given us an enduring purpose and a national destiny: the cause of human freedom.

I am encouraged to know that there are efforts underway to ensure that Jan Karski's story is shared widely in the years ahead and in particular during 2014, which will mark the centennial of his birth. Jan Karski's example should inspire in us the belief that courageous and determined people can help to shape the course of human history for the better and remind us what is required to ensure that when we say Never Again, it will truly mean Never Again.●

CONGRATULATING THE CITY OF RICHFIELD, UTAH

● Mr. LEE. Mr. President, today I wish to congratulate the city of Richfield, UT, for winning the Joining Forces Community Challenge. This honor is of exceptional note as Richfield was the only municipality chosen as a finalist in the competition.

The Joining Forces Community Challenge was launched in July of 2011, seeking to encourage and promote creative ways of showing support for members of the military and their families. Citizens of Richfield have been strongly supportive of military personnel and their loved ones for years, especially the men and women who are stationed in and around Richfield. The 2nd Battalion, 222nd Field Artillery unit of the Utah National Guard is based out of Richfield, and has been deployed four times since September 11, with soldiers going to both Iraq and Afghanistan. Nicknamed the ''Triple Deuce,'' the 222nd is beloved in Utah, and the extraordinary community support made for a perfect submission to the challenge.

Local businesses have found numerous ways to throw their weight behind the unit. Many of them offer discounts and special service to members of the 222nd and their families, and include messages of support in their advertising. Richfield's newspaper, the Richfield Reaper, sends free copies to deployed servicemembers and often prints photos sent in by soldiers so that family, friends, and neighbors can stay connected back home. Richfield City covers utility bills in full for the families of deployed soldiers.

In 2005, the Richfield Chamber of Commerce organized a campaign that came to be known as Coins for a Camouflage Christmas. The goal was to throw an extraordinary Christmas party for military families during the holidays while the 222nd was deployed on an 18-month-long mission in Iraq. Participating businesses kept special containers next to their cash registers for donations, and asked customers for their spare change. Tens of thousands of dollars were collected, and in addition to the party, each child of a deployed parent received a special gift from that parent delivered by Santa Claus. In 2011, when it was thought that the unit would again be deployed over Christmas, Coins for a Camouflage Christmas was organized once again. Rather than throwing a party for the families of deployed soldiers, Richfield got to throw a welcome home party for soldiers who had come back earlier than scheduled as American forces withdrew from Iraq.

The Richfield library has joined in the effort to support the 222nd. After discovering that one daughter of a deployed soldier was trying to learn about Iraq because her father was there, the library put in a special order for books describing the places where parents in the unit were deployed. When the books were received, the library held a special gathering to introduce the new material.

City and community leaders were also instrumental in creating and signing onto the military's Community Covenant Outreach Program in Richfield. Participants promise soldiers and their families support and services from Richfield. As part of the program, two large Community Covenant signs were built at each end of town to show visitors how much Richfield cares about military families.

Perhaps most importantly, the Richfield community has contributed more than a quarter of a million dollars to build a veterans memorial. The memorial is currently under construction and slated to be completed later this year.

Richfield has demonstrated over and over again that it is a community that cares deeply about the men and women who fight to keep us safe and free. The special love for the Triple Deuce is a shining example of how a unit should be supported by local communities around the country. I sincerely thank my fellow Utahns in Richfield who continue to set a high standard of excellence in showing love and respect for our brave heroes. Finally, I add my grateful appreciation to all of our men and women in uniform.●

REMEMERING HARVEY L. SCHWARTZ

● Mrs. SHAHEEN. Mr. President, today I wish to pay tribute to my dear friend, Harvey L. Schwartz, who passed away on April 13 at his home in Harrisville, NH. While I was not able to attend Harvey's memorial service on May 20, I did send a remembrance to be read, and wanted to share these thoughts with my colleagues on a truly remarkable man.

Harvey was born in 1929 at the start of the Great Depression into a family of modest means living in Brooklyn, NY. He graduated from Brooklyn College and then Columbia Law School. Harvey's career began at Time, Inc., where he was groomed for leadership in the company's executive training program. Later, he answered his country's call, serving with the U.S. Counter-Intelligence Corps in Japan during the Korean War and then in these very halls as an aide to Senator Thurston Morton of Kentucky. He went on to have an impressive career in international business with a focus on Latin America. It was experience that, Harvey would readily admit, greatly expanded his worldview.

Harvey and his wife, Nell, moved to New Hampshire in 1987. Fortunately for my fellow Granite Staters and me, they put down lasting roots in our State. During his later years in New Hampshire, Harvey called upon his years of experience in the public and private sectors at home and abroad, to find common ground and to unite when too often there were calls to divide. Harvey was a proud Republican, but he was also a consensus builder and a problem solver. I think my colleagues would agree that we could use more people like Harvey Schwartz today. I ask unanimous consent that my May 20 remembrance be printed in the RECORD.

The material follows.

I was very sad to hear the news of Harvey's passing, but I understand he had requested this event be a celebration of his life, so I will keep this reflection upbeat.

We were all extremely fortunate when, in 1987, Harvey and his beloved Nell chose to settle down in the lovely and historic town of Harrisville. From then on, Harvey had a great impact on New Hampshire.

I first became aware of Harvey's impact on the state through the critical role he played in helping block the proposed Route 101 bypass through Harrisville. That was an impressive feat and one that would most likely have failed were it not for Harvey's involvement.

Community leaders, business leaders, political leaders of every stripe listened to Harvey. I was especially hopeful they would listen to him when, to my surprise, he supported my run for governor! Though Harvey was a staunch Republican, his spirit of bipartisanship was strong, and one that I admired a great deal.

While I was Governor, we held an Executive Council Meeting in Harrisville. It was a proud day for Harrisville, and therefore, a proud day for Harvey. Unfortunately, while we were there, a rather challenging issue facing our state government required immediate consideration. Harvey, as creative and giving as always, offered up his beautiful home with its breathtaking view of Mount Monadnock for a private emergency meeting. Once again, Harvey was finding solutions for his state.

Harvey's enthusiasm for public service and his community were evident to all who knew him. Over the years, we worked closely on the issues that matter for New Hampshire, particularly how we provide economic opportunities for all of our citizens, especially our state's young people. In fact, right until his passing, Harvey served as director of the High Bridge Foundation, a non-profit dedicated to providing high school students in New Hampshire with the tools necessary to thrive in a changing economy. He was doing his part to prepare the next generation of Granite Staters.

Harvey was a great consensus builder. At a time when too many focus on what divides, Harvey worked to unite.

Harvey, you will be missed, but your legacy will be honored and remembered for generations to come because of your hard work and your dedication to New Hampshire.

And for that, we all thank you.●

RECOGNIZING JSI STORE FIXTURES

● Ms. SNOWE. Mr. President, manufacturing has long provided well-paying jobs and economic growth for Americans, especially in my home State of Maine. As co-chair of the Senate Task Force on Manufacturing, I am acutely aware that a healthy manufacturing sector is essential to our Nation's economic prosperity.

Regrettably, our Nation's manufacturing sector was particularly hard hit by the recent recession, and continues to suffer through this underwhelming recovery. As this is a challenge faced by many of America's manufacturers, I would like to take the opportunity to recognize a company in my home State, that despite all obstacles, has overcome economic difficulties to become one of Maine's most successful businesses. Today, I rise to salute JSI Store Fixtures in Milo, ME, a premier manufacturer of high-end wood and metal fixtures for the supermarket industry and a distinguished member of the Milo community.

Over 20 years ago, JSI was started in the Awalt family's basement with just a table saw and an aspiration. Brothers Barry and Terry Awalt and their stepfather, Clayton Johndro, rallied family support to found JSI Store Fixtures; which has since grown to manufacture custom displays for many of the Nation's largest supermarket chains, including: Hannaford Supermarkets, Whole Foods, Giant, Wegmans, Sweetbay, and several others.

When Mark Awalt, brother to Barry and Terry, joined the company in 1997, JSI had already outgrown the family basement. In fact, it had outgrown its original facility, a 30,000-square foot plant located in Howland. Mark sought the help of the Maine Small Business Development Center at the Eastern Maine Development Corporation and the Piscataquis County Economic Development Council to receive a community development block grant and a Small Business Administration guaranteed loan. This funding enabled JSI to expand and relocate to the vacant Dexter Shoe Plant in 2000, garnering many employees who had previously worked for Dexter Shoe. JSI now ships 95 percent of its products out of Maine and in 2011 generated approximately $20 million in sales—proof that small businesses are economically successful, even in the most rural parts of Maine. Today, JSI is the region's largest employer with 130 employees and has become a cherished staple in the community.

Additionally, the hard work and perseverance of JSI's second-to-none employees cannot be overstated as they boast an incredible record in a key area—safety excellence. At a time when JSI sales increased 400 percent, the company reached the outstanding safety milestone of over 10 years without a lost-time accident. Owners, managers, and employees of JSI have implemented and nurtured a safety focus over the last decade and were recognized for this momentous feat by the Manufacturers of Maine Group Trust's, Richard J. Haines Award for Safety Excellence in 2007. The award honors a member of the trust who excels in six different areas of employee safety: commitment, persistence, participation, performance, consistency, and innovation. In 2009, JSI was celebrated again by the Trust for having the most effective safety program.

But it is not just safety excellence that JSI employees practice, its distinction in customer service, quality and industry leading on-time shipping that has powered JSI to become one of the largest employers in Piscataquis County. Their success has certainly not gone unnoticed, as their list of accolades is truly remarkable. In 1999, JSI Store Fixtures received the Hannaford Brothers Distinguished Vendor Award for exceptional service and high product quality. Then in 2004, co-owner Mark Awalt was named by the U.S. Small Business Administration as Maine's Small Business Person of the Year, followed by JSI receiving the Governor's Award for Business Excellence in 2011. This renowned award honors Maine companies that demonstrate a high level of commitment to their community, employees and to manufacturing or service excellence.

At the same time, JSI is perhaps most prominently known for their invaluable contributions to the local community. Their steadfast loyalty to the region has been demonstrated through numerous projects and fundraisers to benefit area children and the local school community. For example, through the Clayton Johndro Golf Tournament which is held annually, JSI raised over $10,000 for youth programs in 2011 alone. Once again, highlighting their extraordinary contributions, JSI received the 2010 Maine Education Association's Corporate Award in honor of their significant impact on area youth and the Distinguished Service Award in the same year from the Milo/Brownville Kiwanis.

A true asset to the state of Maine, JSI has exemplified outstanding leadership and a passion for helping others that is certainly worthy of commendation. I am proud to extend my congratulations to the Awalt family and everyone at JSI Store Fixtures for their tremendous accomplishments. They are a shining example of the dedication to excellence, quality workmanship, commitment to community and service that Maine is known for. I offer my best wishes for continued success to JSI, and look forward to hearing more about their achievements in the future.●

MESSAGE FROM THE HOUSE

At 1:50 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 241. An act to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California.

H.R. 1740. An act to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic River System.

H.R. 2060. An act to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

H.R. 2336. An act to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System.

H.R. 2512. An act to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes.

H.R. 3263. An act to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

H.R. 4222. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes.

H.R. 4282. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

H.R. 5883. An act to make a technical correction in Public Law 112 108.

H.R. 5890. An act to correct a technical error in Public Law 112 122.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 128. Concurrent resolution 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.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 241. An act to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; to the Committee on Energy and Natural Resources.

H.R. 2060. An act to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2336. An act to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

H.R. 2512. An act to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4222. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4282. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; to the Committee on Finance.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3268. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 3269. A bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed.

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 6342. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to a review and certification of the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS) program; to the Committee on Armed Services.

EC 6343. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report relative to the Distribution of Department of Defense (DoD) Depot Maintenance Workloads; to the Committee on Armed Services.

EC 6344. A communication from the Acting Director of Legislative Affairs, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Mutual Insurance Holding Company Treated as Insurance Company'' (RIN3064 AD89) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 6345. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC 6346. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes'' (FRL No. 9675 1) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2012; to the Committee on Environment and Public Works.

EC 6347. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rule on a Certain Chemical Substance; Withdrawal of Significant New Use Rule'' (FRL No. 9350 3) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6348. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Elemental Mercury Used in Barometers, Manometers, Hygrometers, and Psychrometers; Significant New Use Rule'' (FRL No. 9345 9) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6349. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Heavy-Duty Highway Program: Revisions for Emergency Vehicles'' (FRL No. 9673 1) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6350. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Negative Declaration and Withdrawal of Large Municipal Waste Combustors State Plan for Designated Facilities and Pollutants: Illinois'' (FRL No. 9679 6) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6351. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone: Alternative for the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy (SNAP) Program'' (FRL No. 9668 8) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6352. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Designation of Areas for Air Quality Planning Purposes; State of Arizona; Pinal County; PM10'' (FRL No. 9679 7) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6353. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Guidance for ITAAC Closure Under 10 CFR Part 52'' (Regulatory Guide 1.215, Revision 1) received in the Office of the President of the Senate on May 24, 2012; to the Committee on Environment and Public Works.

EC 6354. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J'' (ML121030286) received in the Office of the President of the Senate on May 24, 2012; to the Committee on Environment and Public Works.

EC 6355. A communication from the Assistant Regional Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska—Subpart C—Board Determinations; Rural Determinations'' (RIN1018 AX95) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6356. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule to Remove the Morelet's Crocodile From the Federal List of Endangered and Threatened Wildlife'' (RIN1018 AV22) received during adjournment of the Senate in the Office of the President of the Senate on May 25, 2012; to the Committee on Environment and Public Works.

EC 6357. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of American Burying Beetle in Southwestern Missouri'' (RIN1018 AX79) received during adjournment of the Senate in the Office of the President of the Senate on March 25, 2012; to the Committee on Environment and Public Works.

EC 6358. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regional Haze: Revisions to Provisions Governing Alternatives to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals, and Federal Implementation Plans'' (FRL No. 9672 9) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2012; to the Committee on Environment and Public Works.

EC 6359. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9670 8) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2012; to the Committee on Environment and Public Works.

EC 6360. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Consumer Products and AIM Rules'' (FRL No. 9663 1) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2012; to the Committee on Environment and Public Works.

EC 6361. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Interim Guidance on Modification of Section 833 Treatment of Certain Health Organizations'' (Notice 2012 37) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2012; to the Committee on Finance.

EC 6362. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Discharge of Partnership Excess Nonrecourse Indebtedness'' (Rev. Rul. 2012 14) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2012; to the Committee on Finance.

EC 6363. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Children's Health Insurance Programs; Disallowance of Claims for FFP and Technical Corrections'' (CMS 2292 F) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2012; to the Committee on Finance.

EC 6364. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's 2012 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

EC 6365. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6366. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6367. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Report on Final Action for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6368. A communication from the Administrator of the Agency for International Development (USAID), transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6369. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Semiannual Report of the Inspector General for the period from October 1, 2011 to March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6370. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6371. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6372. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6373. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department of Agriculture's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6374. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6375. A communication from the Deputy Secretary of the Interior, transmitting, pursuant to law, the Department of the Interior's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6376. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Service's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6377. A communication from the Secretary of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Department of Labor for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6378. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense's Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6379. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6380. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2011 through March 31, 2012 and the Administrator's Semiannual Management Report to Congress; to the Committee on Homeland Security and Governmental Affairs.

EC 6381. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 6382. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

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 Mr. COBURN (for himself and Mr. BURR):

S. 3266. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. KERRY, and Mr. MENENDEZ):

S. 3267. A bill to amend the Internal Revenue Code of 1986 to extend and modify the American Opportunity Tax Credit, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself and Mr. BEGICH):

S. 3268. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes; read the first time.

By Mr. PAUL (for himself, Mr. DEMINT, Mr. LEE, Mr. COBURN, Mrs. HUTCHISON, and Mr. RISCH):

S. 3269. A bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed; read the first time.

By Mr. WYDEN (for himself and Mr. BURR):

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; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mr. GRASSLEY, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Mr. KYL, Mr. LUGAR, Mr. MORAN, Mr. ROBERTS, Mr. RUBIO, Ms. SNOWE, Mr. THUNE, Mr. TOOMEY, Mr. SESSIONS, Mr. JOHNSON of Wisconsin, and Mr. JOHANNS):

S. Res. 482. A resolution celebrating the 100th anniversary of the United States Chamber of Commerce; to the Committee on the Judiciary.

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. Res. 483. A resolution commending efforts to promote and enhance public safety on the need for yellow corrugated stainless steel tubing bonding; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself, Mr. DURBIN, Mr. LUGAR, Mr. CASEY, Mr. MORAN, Mr. BROWN of Ohio, and Mr. LEAHY):

S. Res. 484. A resolution designating June 7, 2012, as ''National Hunger Awareness Day''; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 485. A resolution to authorize representation by the Senate Legal Counsel in the case of Common Cause, et al. v. Joseph R. Biden, et al; considered and agreed to.

By Mr. WEBB:

S. Con. Res. 46. A concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself and Ms. SNOWE):

S. Con. Res. 47. A concurrent resolution expressing the sense of Congress on the sovereignty of the Republic of Cyprus over all of the territory of the island of Cypress; to the Committee on Foreign Relations.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 482—CELEBRATING THE 100TH ANNIVERSARY OF THE UNITED STATES CHAMBER OF COMMERCE

Mr. MCCONNELL (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mr. GRASSLEY, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Mr. KYL, Mr. LUGAR, Mr. MORAN, Mr. ROBERTS, Mr. RUBIO, Ms. SNOWE, Mr. THUNE, Mr. TOOMEY, Mr. SESSIONS, Mr. JOHNSON of Wisconsin, and Mr. JOHANNS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 482

Whereas the United States Chamber of Commerce (referred to in this preamble as the ''Chamber'') was founded on April 22, 1912, at the request of President William Howard Taft, thereby creating a unified voice for business in the United States;

Whereas, on that date, President Taft supported the creation of the Chamber by declaring before 700 delegates from businesses, chambers, and associations representing every State, ''We want your assistance in carrying on the government in reference to those matters that affect the business and the business welfare of the country, and we do not wish to limit your discretion in that matter. We wish that your advice should be as free and unrestricted as possible, but we need your assistance and we ask for it.'';

Whereas, during the 100 years since its founding, the Chamber has represented and advocated the interests of the business community in Washington, DC, across the United States, and around the world;

Whereas the Chamber continues to give voice to business in the United States and rally the business community around policies that create jobs and grow the economy;

Whereas the Chamber is committed to preserving and advancing free market principles and the free enterprise system of the United States, which has created growth, opportunities, innovation, and jobs, and has empowered generations of individuals in the United States to fulfill the American dream;

Whereas, for a century, the Chamber has played an instrumental role in major pieces of legislation on trade, infrastructure, energy, and a host of other issues integral to generating economic growth, supporting the business community, and creating jobs in the United States; and

Whereas, for the next 100 years, and well beyond, the Chamber will continue to work to restore and strengthen the prosperity and competitiveness of the United States and will continue to represent the interests of businesses in the United States of every size, sector, and region before Congress, the executive branch, the courts, and the court of public opinion: Now, therefore, be it

Resolved, That the Senate congratulates the United States Chamber of Commerce on its 100th anniversary.

Mr. MCCONNELL. Mr. President, today I am submitting a resolution congratulating the U.S. Chamber of Commerce on defending and advancing free market principles for the past 100 years.

For a century, the Chamber has helped business owners all across the country, from the Great Depression to the current fiscal crisis our Nation is struggling with today. The chamber and its member chambers and businesses have continued to find ways to help keep our economy growing and businesses hiring.

In 1962, marking the 50th anniversary of the founding of the chamber, President Kennedy said: ''The foundation of the Chamber in April of 1912 marked a turning point in the relations between government and business.'' This remains true to this day.

When the Chamber turned 70, President Reagan joked:

I remember the day you started. And like good wine, you have grown better, not older.

He then quipped:

The membership of the Chamber of Commerce of the United States is the only thing that has grown faster than the Federal Government—thank heaven!

The free enterprise system is the backbone of the American economy, and nobody embodies it more than the U.S. Chamber of Commerce. So on the year marking the 100th anniversary, I, along with my colleagues, wish to extend my heartfelt thanks and appreciation for all the work they do to help businesses grow and create jobs. Through their efforts, millions of Americans have been able to pursue and achieve the American dream.

To the U.S. Chamber of Commerce, thank you for your contribution to society, and congratulations on 100 years of representing and advocating for job creators across our country.

SENATE RESOLUTION 483—COMMENDING EFFORTS TO PROMOTE AND ENHANCE PUBLIC SAFETY ON THE NEED FOR YELLOW CORRUGATED STAINLESS STEEL TUBING BONDING

Mr. PRYOR (for himself and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 483

Whereas yellow corrugated stainless steel tubing (referred to in this preamble as ''CSST'') is flexible gas piping used to convey natural gas or propane to household appliances in homes and businesses;

Whereas since 1990, yellow CSST has been installed in more than 6,000,000 homes and businesses in the United States;

Whereas field reports and research suggest that if direct or indirect lightning strikes a structure, the risk for electrical arcing between the metal components in a structure with yellow CSST may be reduced by means of equipotential bonding and grounding;

Whereas proper bonding of CSST is defined in section 7.13.2 of the 2009 edition of the NFPA 54: National Fuel Gas Code, and is referenced in info note 2 in section 250.104 of the 2011 edition of the NFPA 70: National Electric Code;

Whereas the National Association of State Fire Marshals supports the proper bonding of yellow CSST to current National Fire Protection Association Code to reduce the possibility of gas leaks and fires from lightning strikes;

Whereas the National Association of State Fire Marshals is working to educate relevant stakeholders, including fire, building, and housing officials, consumers, homeowners, and construction professionals about the need to properly bond yellow CSST in legacy installations and in all new installations in accordance with the most recent building codes and manufacture installation instructions;

Whereas the bonding of yellow CSST in legacy installations is an important public safety matter that merits alerting homeowners, relevant State and local fire, building, and housing officials, and construction professionals such as electricians, contractors, plumbers, inspectors, and home-improvement specialists: Now, therefore, be it

Resolved, That the Senate—

(1) commends efforts to promote and enhance public safety and consumer awareness on proper bonding of yellow corrugated stainless steel tubing (referred to in this resolution as ''CSST'') as defined in the National Fire Protection Association Code; and

(2) encourages further educational efforts for the public, relevant building and housing officials, consumers, homeowners, and construction professionals on the need to properly bond yellow CSST retroactively and moving forward in houses that contain the product.

SENATE RESOLUTION 484—DESIGNATING JUNE 7, 2012, AS ''NATIONAL HUNGER AWARENESS DAY''

Mr. BOOZMAN (for himself, Mr. DURBIN, Mr. LUGAR, Mr. CASEY, Mr. MORAN, Mr. BROWN of Ohio, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 484

Whereas food insecurity and hunger are a fact of life for millions of individuals in the

United States and can produce physical, mental, and social impairments;

Whereas recent data published by the Department of Agriculture shows that approximately 48,800,000 individuals in the United States live in households experiencing hunger or food insecurity, and of that number, 32,600,000 are adults and 16,200,000 are children;

Whereas the Department of Agriculture data also shows that households with children experience food insecurity nearly twice as frequently as households without children;

Whereas 4.8 percent of all households in the United States (approximately 5,600,000 households) have accessed emergency food from a food pantry 1 or more times;

Whereas the report entitled ''Household Food Security in the United States, 2010'', published by the Economic Research Service of the Department of Agriculture, found that in 2010, the most recent year for which data exists—

(1) 14.5 percent of all households in the United States experienced food insecurity at some point during the year;

(2) 20.2 percent of all households with children in the United States experienced food insecurity at some point during the year; and

(3) 7.9 percent of all households with elderly individuals in the United States experienced food insecurity at some point during the year;

Whereas the problem of hunger and food insecurity can be found in rural, suburban, and urban portions of the United States, touching nearly every community in the country;

Whereas, although substantial progress has been made in reducing the incidence of hunger and food insecurity in the United States, many Americans remain vulnerable to hunger and the negative effects of food insecurity;

Whereas the people of the United States have a long tradition of providing food assistance to hungry individuals through acts of private generosity and public support programs;

Whereas the Federal Government provides nutritional support to millions of individuals through numerous Federal food assistance programs, including—

(1) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(2) the child nutrition program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(3) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

(4) the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.); and

(5) food donation programs;

Whereas there is a growing awareness of the important role that community-based organizations, institutions of faith, and charities play in assisting hungry and food-insecure individuals;

Whereas more than 61,000 local, community-based organizations rely on the support and efforts of more than 600,000 volunteers to provide food assistance and services to millions of vulnerable people; and

Whereas all people of the United States can participate in hunger relief efforts in their communities by—

(1) donating food and money to hunger relief efforts;

(2) volunteering for hunger relief efforts; and

(3) supporting public policies aimed at reducing hunger: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 7, 2012, as ''National Hunger Awareness Day''; and

(2) calls on the people of the United States to observe National Hunger Awareness Day—

(A) with appropriate ceremonies, volunteer activities, and other support for anti-hunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; and

(B) by improving programs and public policies that reduce hunger and food insecurity in the United States.

SENATE RESOLUTION 485—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF COMMON CAUSE, ET AL. V. JOSEPH R. BIDEN, ET AL

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 485

Whereas, Joseph R. Biden, Jr., the Vice President of the United States; Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Senate Sergeant at Arms; and Elizabeth MacDonough, Senate Parliamentarian, have been named as defendants in the case of Common Cause, et al.. v. Joseph R. Biden, et al., No. 1:12cv00775, now pending in the United States District Court for the District of Columbia;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S. C. 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers and employees of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Joseph R. Biden, Jr., the Vice President of the United States; Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Senate Sergeant at Arms; and Elizabeth MacDonough, Senate Parliamentarian, in the case of Common Cause, et al. v. Joseph R. Biden, et al.

SENATE CONCURRENT RESOLUTION 46—EXPRESSING THE SENSE OF CONGRESS THAT AN APPROPRIATE SITE AT THE FORMER NAVY DIVE SCHOOL AT THE WASHINGTON NAVY YARD SHOULD BE PROVIDED FOR THE MAN IN THE SEA MEMORIAL MONUMENT TO HONOR THE MEMBERS OF THE ARMED FORCES WHO HAVE SERVED AS DIVERS AND WHOSE SERVICE IN DEFENSE OF THE UNITED STATES HAS BEEN CARRIED OUT BENEATH THE WATERS OF THE WORLD

Mr. WEBB submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 46

Whereas United States Navy divers have received 7 Medals of Honor for multiple acts of heroism dating back to 1915;

Whereas United States Navy divers received the only Medals of Honor ever awarded for actions during peacetime;

Whereas United States Navy divers have addressed critical beach and harbor clearances and recoveries in World War I and all subsequent wars fought by the United States;

Whereas United States Navy divers significantly contributed to the salvage and restoration of Pearl Harbor after the attack by Japan in 1941;

Whereas United States Navy divers significantly contributed to the United States victory in the Cold War by diving on communications cables of the Soviet Union at extreme depths;

Whereas United States Navy divers made critical recoveries of Space Shuttles Challenger and Columbia;

Whereas United States Army divers were instrumental in the clearance of underwater munitions at ports and harbors during World War II;

Whereas United States Army divers were crucial to the maintenance and repair of vessels and the recovery of aircraft during the Vietnam War;

Whereas United States Army divers salvaged vessels during the Persian Gulf War, vessels of the Soviet Union during Operation Restore Hope in Somalia, and numerous vessels during the humanitarian operation in Haiti;

Whereas United States Army divers deployed to the Persian Gulf region in support of Operation Iraqi Freedom;

Whereas United States Army divers have participated in humanitarian relief efforts to clear international ports and harbors after natural disasters;

Whereas United States Army divers have performed hundreds of missions for the Corps of Engineers to maintain the dams, locks, and waterways of the United States;

Whereas United States Army divers have performed lifesaving recompression treatments on injured military and civilian personnel;

Whereas United States Marine Corps divers were essential to the development of the buoyant ascent technique, which allows forces to deploy from submarines at depth and return to a submerged submarine, thus enabling the completion of a range of covert missions;

Whereas United States Marine Corps divers were essential to the testing and development of the Fulton Skyhook, intended for the sophisticated snatch pickup of troops from remote areas;

Whereas United States Air Force divers, specifically Pararescuemen and Combat Controllers, have supported crucial missions of the Department of Defense in Iraq and Afghanistan and crucial missions of the National Aeronautics and Space Administration;

Whereas United States Coast Guard divers undertook clandestine infiltration missions in the European and Pacific theaters of World War II;

Whereas United States Coast Guard divers provided critical underwater ship husbandry support during the historic exploration of the Northwest Passage by the Coast Guard in 1957;

Whereas United States Coast Guard divers assisted in the recoveries of Air Florida Flight 90, the Space Shuttle Challenger, and numerous other aircraft and vehicles;

Whereas United States Coast Guard divers have enhanced scientific achievements through the collection of marine samples in the Arctic and Antarctic regions;

Whereas United States Coast Guard divers have ensured the safety of shipping in the Pacific Islands; and

Whereas United States Coast Guard divers have established a security posture throughout the United States during inspections of

ports, waterways, and coastal security facilities since the terrorist attacks of September 11, 2001: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the Secretary of the Navy should provide an appropriate site at the former Navy Dive School at the Washington Navy Yard for the Man in the Sea Memorial Monument, to be paid for with private funds, to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world, so long as the Secretary of the Navy has exclusive authority to approve the design and site of the monument.

SENATE CONCURRENT RESOLUTION 47—EXPRESSING THE SENSE OF CONGRESS ON THE SOVEREIGNTY OF THE REPUBLIC OF CYPRUS OVER ALL OF THE TERRITORY OF THE ISLAND OF CYPRESS

Mr. MENENDEZ (for himself and Ms. SNOWE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 47

Whereas the Republic of Cyprus is an independent, sovereign nation-state;

Whereas the Republic of Cyprus, as the only sovereign state on the island of Cyprus, is a member of the United Nations, the European Union, and other key international and multilateral organizations;

Whereas Secretary of State Hillary Clinton has stated that the Republic of Cyprus is ''strategically important'';

Whereas the Government of Cyprus is a close friend and partner of the United States Government in the volatile eastern Mediterranean region;

Whereas United Nations Security Council Resolution 939 (1994) reaffirms that a solution to the Cypriot issue must be based on a State of Cyprus with a single sovereignty and international personality, and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bizonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

Whereas the Government of Turkey illegally occupies the northern area of Cyprus with an armed force of 43,000 troops;

Whereas Article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949, states, ''The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.'';

Whereas, in 1954, the Government of Turkey ratified the Geneva Convention relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949;

Whereas the Government of Turkey is attempting to colonize the part of Cyprus it occupies by sending hundreds of thousands of citizens of Turkey to live permanently in Cyprus;

Whereas the demographic composition of the Republic of Cyprus in 1974 was estimated to be 506,000 Greek-Cypriots and 118,000 Turkish-Cypriots;

Whereas the current demographic composition of the Republic of Cyprus is estimated to be 672,000 Greek-Cypriots, 89,000 Turkish-Cypriots, and 200,000-500,000 citizens of Turkey transferred by the Government of Turkey to live permanently in Cyprus;

Whereas the Turkish-Cypriot community's leadership rejected the Council of Europe's request to conduct an island-wide census to accurately determine the current demographic composition of the island's population;

Whereas the Government of Turkey's colonization plan was publicly exposed when Turkish Prime Minister Recep Tayyip Erdogan told Turkish-Cypriots protesting against the transfer of colonists from Turkey in the summer of 2011, ''If you don't want us to send people, you need to have more babies.'';

Whereas the demographic composition of Cyprus is being dramatically and illegally altered by the influx of non-Cypriot colonists sent from Turkey;

Whereas 40,000 Turkish-Cypriots protested against Turkish austerity measures during demonstrations in 2011, with hundreds shouting and holding signs reading, ''Ankara, get your hand off our shores.'';

Whereas, on March 4, 2012, Turkey's European Union Minister, Egemen Bagis, called for ''annexing northern Cyprus to Turkey,'' an action that would be in direct violation of the United Nations Charter, United Nations Security Council resolutions on Cyprus, and United States Government policy toward Cyprus;

Whereas, in recent years, the Republic of Cyprus, along with other countries in the eastern Mediterranean, including Israel, have discovered vast reserves of natural gas within their territorial waters and Exclusive Economic Zones (EEZs);

Whereas Cyprus and Israel recently signed an agreement defining the boundaries of their respective EEZs, and, on that basis, are proceeding with the exploration of natural gas reserves;

Whereas a United States company is currently developing hydrocarbon deposits in the offshore EEZs of Cyprus and Israel;

Whereas these developments are significant for the energy security and independence of Europe;

Whereas the United States Government supports the sovereign rights of Cyprus and Israel to explore hydrocarbon deposits in their respective EEZs;

Whereas the Government of Turkey is seeking to expand its illegal occupation to control portions of the EEZ of Cyprus and illegally seize and exploit the energy resources of Cyprus;

Whereas the Government of Turkey has engaged in a variety of provocative and bellicose actions, including sending warships off the southern coast of Cyprus to escort a Turkish research vessel looking for hydrocarbon deposits, conducting air and naval military exercises south of Cyprus in the area of exploration, declaring invalid the agreement between Israel and Cyprus demarcating their maritime borders, and threatening the use of military action against Cyprus;

Whereas the highest levels of the United States Government have privately urged the Government of Turkey not to follow through with its threats against Cyprus for exercising its sovereign right to explore its natural resources; and

Whereas, on April 26, 2012, the Government of Turkey began illegally drilling for oil and natural gas on the island of Cyprus, within the sovereign territory of the Republic of Cyprus: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) respects and accepts the sovereignty of the Republic of Cyprus over all of the territory of the island of Cyprus;

(2) urges the Government of Turkey to respect, accept, and formally recognize the sovereignty of the Republic of Cyprus over all of the territory of the island of Cyprus, end its illegal military occupation of Cyprus, and accept and fully implement all United Nations Security Council Resolutions on Cyprus;

(3) supports the Republic of Cyprus in its plans to explore and exploit energy reserves within its Exclusive Economic Zone (EEZ), and praises the Governments of the Republic of Cyprus and Israel for working cooperatively to develop the energy holdings in the region;

(4) urges the Government of Turkey to cease all activities and plans to further develop energy resources illegally within the territory and EEZ of the Republic of Cyprus;

(5) opposes the Government of Turkey's threatening statements and naval movements designed to prevent the Republic of Cyprus from exploiting its energy resources;

(6) expresses serious concern about the effort by the Government of Turkey to colonize the area of northern Cyprus by sending hundreds of thousands of non-Cypriot Turkish citizens to live in Cyprus;

(7) considers the Government of Turkey in grave violation of Article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949, by transferring parts of its civilian population into occupied northern Cyprus; and

(8) urges the President to call on the Government of Turkey to end its illegal colonization of Cyprus with non-Cypriot populations, terminate its occupation of northern Cyprus, and cease its illegal interference with the exploitation by the Government of the Republic of Cyprus of its energy resources.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 67

At the request of Mr. INOUYE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 67, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 210

At the request of Mr. COBURN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 210, a bill to amend title 44, United States Code, to eliminate the mandatory printing of bills and resolutions for the use of offices of Members of Congress.

S. 262

At the request of Mr. JOHANNS, his name was added as a cosponsor of S.

262, a bill to repeal the excise tax on medical device manufacturers.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 649

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 649, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 705

At the request of Mr. CARPER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 775

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 775, a bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

S. 821

At the request of Mr. LEAHY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1613

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) 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. 1880

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. GRAHAM) 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. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 2030

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2030, a bill to provide protection for consumers who have prepaid cards, and for other purposes.

S. 2060

At the request of Mr. KOHL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2060, a bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of nonparticipation due to Government error.

S. 2103

At the request of Mr. LEE, the name of the Senator from Georgia (Mr. CHAMBLISS) 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. 2143

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Wisconsin (Mr. KOHL), the Senator from Indiana (Mr. COATS) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2167

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2167, a bill to increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer wants to fill with H 2B nonimmigrants.

S. 2264

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2264, a bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 3053

At the request of Mr. INHOFE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3053, a bill to require Regional Administrators of the Environmental Protection Agency to be appointed by and with the advice and consent of the Senate.

S. 3078

At the request of Mr. PORTMAN, the names of the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), the Senator from West

Virginia (Mr. MANCHIN), the Senator from Texas (Mrs. HUTCHISON), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Oklahoma (Mr. INHOFE), the Senator from South Carolina (Mr. DEMINT), the Senator from Missouri (Mr. BLUNT), the Senator from Alaska (Mr. BEGICH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3078, a bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on June 6, 1944, the morning of D-Day.

S. 3085

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 3085, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3203

At the request of Mr. LAUTENBERG, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3203, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 3220

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3221

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 3221, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 3239

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3257

At the request of Mr. COBURN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from South Dakota (Mr. THUNE) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. 3261

At the request of Mr. WYDEN, the names of the Senator from Colorado (Mr. UDALL), the Senator from Montana (Mr. TESTER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 3261, a bill to allow the Chief of the Forest Service to award certain contracts for large air tankers.

S.J. RES. 42

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S.J. Res. 42, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. RES. 376

At the request of Mr. WICKER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 376, a resolution commemorating the 225th anniversary of the signing of the Constitution of the United States and recognizing the contributions of the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution.

S. RES. 435

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. NELSON) was withdrawn as a cosponsor of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 435, supra.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2156. Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. SCHUMER, Mr. REED, Mr. WYDEN, Mrs. BOXER, and Mr. MENENDEZ) 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 2157. 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 2158. 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 2159. Mrs. SHAHEEN (for herself, Mr. LUGAR, Mr. KIRK, Mr. DURBIN, Mr. TOOMEY, and Mr. COATS) submitted an amendment intended to be proposed by her to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2160. Mrs. SHAHEEN (for herself, Mr. KIRK, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2161. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2162. Mr. MCCAIN (for himself, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. PORTMAN, Ms. AYOTTE, Ms. COLLINS, Mr. GRAHAM, Mr. CORNYN, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2163. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2164. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2165. Mr. BARRASSO (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. SESSIONS, Mr. HELLER, Mr. VITTER, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2166. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2167. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2168. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2169. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2170. Mr. GRASSLEY (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 2171. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2172. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2173. Mr. SESSIONS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2174. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2175. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2176. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2177. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2178. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2179. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2180. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2181. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2182. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2183. Mr. PAUL submitted an amendment intended to be proposed by him to the

bill S. 3240, supra; which was ordered to lie on the table.

SA 2184. Mr. WYDEN (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2185. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2186. Mr. COBURN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2187. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2188. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 3240, supra; which was ordered to lie on the table.

SA 2189. Mr. JOHNSON, of Wisconsin 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 2156. Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. SCHUMER, Mr. REED, Mr. WYDEN, Mrs. BOXER, and Mr. MENENDEZ) 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:

Beginning on page 312, strike line 9 and all that follows through the end of page 313.

On page 361, strike lines 1 through 8 and insert the following:

SEC. 4207. PURCHASE OF COMMODITIES BY COMMODITY CREDIT CORPORATION.

When the Secretary considers the purchasing of commodities by the Commodity Credit Corporation or under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), in addition to other appropriate considerations, the Secretary may consider the needs of the States and the demands placed on emergency feeding organizations.

SEC. 4208. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a(i)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) MANDATORY FUNDING.—In addition to any other amounts made available to carry out this section, on October 1, 2012, and on each October 1 thereafter through October 1, 2021, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $50,000,000, to remain available until expended.''.

On page 953, between lines 8 and 9, insert the following:

SEC. 11011. ANNUAL LIMITATION ON DELIVERY EXPENSES AND REDUCED RATE OF RETURN.

(a) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

''(G) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Beginning with the 2014 reinsurance year, the amount paid by the Corporation to reimburse approved insurance providers and agents for the administrative and operating costs of the approved insurance providers and agents shall not exceed $825,000,000 per year.''.

(b) REDUCED RATE OF RETURN.—Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) (as amended by section 11010) is amended by adding at the end the following:

''(G) REDUCED RATE OF RETURN.—Beginning with the 2014 reinsurance year, the Standard Reinsurance Agreement shall be adjusted to ensure a projected rate of return for the approved insurance producers not to exceed 12 percent, as determined by the Corporation.''.

SA 2157. 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. SUPPORT FOR STATE AND TRIBAL GOVERNMENT EFFORTS TO PROMOTE DOMESTIC MAPLE SYRUP INDUSTRY.

(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 2158. 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—Milk Import Tariff Equity

SEC. 3301. SHORT TITLE.

This subtitle may be cited as the ''Milk Import Tariff Equity Act''.

SEC. 3302. IMPOSITION OF TARIFF-RATE QUOTAS ON CERTAIN CASEIN AND MILK CONCENTRATES.

(a) CASEIN AND CASEIN PRODUCTS.—

(1) IN GENERAL.—The Additional U.S. Notes to chapter 35 of the Harmonized Tariff Schedule of the United States are amended—

(A) by striking ''Additional U.S. Note'' and inserting ''Additional U.S. Notes'';

(B) in Note 1, by striking ''subheading 3501.10.10'' and inserting ''subheadings 3501.10.05, 3501.10.15, and 3501.10.20''; and

(C) by adding at the end the following new Note:

''2. The aggregate quantity of casein, caseinates, milk protein concentrate, and other casein derivatives entered under subheadings 3501.10.15, 3501.10.65, and 3501.90.65 in any calendar year shall not exceed 55,477,000 kilograms. Articles the product of Mexico shall not be permitted or included under this quantitative limitation and no such article shall be classifiable therein.''.

(2) RATES FOR CERTAIN CASEINS, CASEINATES, AND OTHER DERIVATIVES AND GLUES.—Chapter 35 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 3501.10 through 3501.90.60 and inserting the following new subheadings, with the article descriptions for subheadings 3501.10 and 3501.90 having the same degree of indentation as the article description for subheading 3502.20.00:

''	3501.10	Casein:			
		Milk protein concentrate:			
	3501.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg
	3501.10.15	Described in additional U.S. note 2 to this chapter and entered according to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg
	3501.10.20	Other	$2.16/kg	Free (MX)	$2.81/kg
		Other:			
	3501.10.55	Suitable only for industrial uses other than the manufacture of food for humans or other animals or as ingredients in such food	Free		Free
		Other:			
	3501.10.60	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg
	3501.10.65	Described in additional U.S. note 2 to this chapter and entered according to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg
	3501.10.70	Other	$2.16/kg	Free (MX)	$2.81/kg
	3501.90	Other:			
	3501.90.05	Casein glues	6%	Free (A, AU, BH, CA, CL, CO, E, IL, J, JO, MA, MX, OM, P, PE, SG) 4.8% (KR)	30%
		Other:			
	3501.90.30	Suitable only for industrial uses other than the manufacture of food for humans or other animals or as ingredients in such food	6%	Free (A, AU, BH, CA, CL, CO, E, IL, J, JO, MA, MX, OM, P, PE, SG) 4.8% (KR)	30%
		Other:			
	3501.90.55	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PE, SG) 0.2¢/kg (AU)	12.1¢/kg
	3501.90.65	Described in additional U.S. note 2 to this chapter and entered according to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, OM, P, PE, SG) 0.2¢/kg (AU)	12.1¢/kg
	3501.90.70	Other	$2.16/kg	Free (MX)	$2.81/kg ''.

(b) MILK PROTEIN CONCENTRATES.—

(1) IN GENERAL.—The Additional U.S. Notes to chapter 4 of the Harmonized Tariff Schedule of the United States are amended—

(A) in Note 13, by striking ''subheading 0404.90.10'' and inserting ''subheadings 0404.90.05, 0404.90.15, and 0404.90.20''; and

(B) by adding at the end the following new Note:

''27. The aggregate quantity of milk protein concentrates entered under subheading 0404.90.15 in any calendar year shall not exceed 18,488,000 kilograms. Articles the product of Mexico shall not be permitted or included under this quantitative limitation and no such article shall be classifiable therein.''.

(2) RATES FOR CERTAIN MILK PROTEIN CONCENTRATES.—Chapter 4 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 0404.90 through 0404.90.10 and inserting the following new subheadings, with the article description for subheading 0404.90 having the same degree of indentation as the article description for subheading 0404.10 and with the article descriptions for subheadings 0404.90.05, 0404.90.15, and 0404.90.20 having the same degree of indentation as the article description for subheading 0405.20.40:

''	0404.90	Other:				
		Milk protein concentrates:				
	0404.90.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg	
	0404.90.15	Described in additional U.S. note 27 to this chapter and entered pursuant to its provisions	0.37¢/kg	Free (A, BH, CA, CL, CO, E, IL, J, JO, KR, MA, OM, P, PE, SG) 0.2¢/kg (AU)	12¢/kg	
	0404.90.20	Other	$1.56/kg	Free (MX)	$2.02/kg	''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the first day of the first month after the date that is 90 days after the date of the enactment of this Act.

(2) TRANSITIONAL PROVISIONS.—

(A) CHAPTER 35.—Notwithstanding the amendments made by subsection (a)(1) of this section, in the case of any calendar year that includes the effective date described in paragraph (1), the aggregate amount of casein, caseinates, milk protein concentrate, and other casein derivatives entered under subheadings 3501.10.15, 3501.10.65, and 3501.90.65 shall not exceed an amount equal to 151,992 kilograms multiplied by the number of calendar days remaining in such year beginning with such effective date.

(B) CHAPTER 4.—Notwithstanding the amendments made by subsection (b)(1) of this section, in the case of any calendar year that includes the effective date described in paragraph (1), the aggregate amount of milk protein concentrates entered under subheading 0404.90.15 shall not exceed an amount equal to 50,652 kilograms multiplied by the number of calendar days remaining in such year beginning with such effective date.

SEC. 3303. COMPENSATION AUTHORITY.

(a) IN GENERAL.—If the provisions of section 3302 require, the President—

(1) may enter into a trade agreement with any foreign country or instrumentality for the purpose of granting new concessions as compensation in order to maintain the general level of reciprocal and mutually advantageous concessions; and

(2) may proclaim such modification or continuance of any general rate of duty, or such continuance of duty-free or excise treatment, or any quantitative limitation, as the President determines to be required or appropriate to carry out any such agreement.

(b) LIMITATIONS.—

(1) IN GENERAL.—No proclamation shall be made pursuant to subsection (a) decreasing any general rate of duty to a rate that is less than 70 percent of the existing general rate of duty.

(2) SPECIAL RULE FOR CERTAIN DUTY REDUCTIONS.—If the general rate of duty in effect is an intermediate stage under an agreement in effect before August 6, 2002, under section 1102(a) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2902) or under an agreement entered into under section 2103 (a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803), the proclamation made pursuant to subsection (a) may provide for the reduction of each general rate of duty at each such stage by not more than 30 percent of such general rate of duty, and may provide for a final general rate of duty that is not less than 70 percent of the general rate of duty proclaimed as the final stage under such agreement.

(3) ROUNDING.—If the President determines that such action will simplify the computation of the amount of duty computed with respect to an article, the President may exceed the limitations provided in paragraphs (1) and (2) by not more than the lesser of—

(A) the difference between such limitation and the next lower whole number, or

(B) one-half of 1 percent ad valorem.

SA 2159. Mrs. SHAHEEN (for herself, Mr. LUGER, Mr. KIRK, Mr. DURBIN, Mr. TOOMEY, and Mr. COATS) 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:

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 2160. Mrs. SHAHEEN (for herself, Mr. KIRK, and Mr. LAUTENBERG) 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:

Strike subtitle C of title I and insert the following:

Subtitle C—Sugar

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the ''Stop Unfair Giveaways and Restrictions Act of 2012'' or ''SUGAR Act of 2012''.

SEC. 1302. SUGAR PROGRAM.

(a) IN GENERAL.—Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is amended—

(1) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) LOANS.—The Secretary shall carry out this section through the use of recourse loans.'';

(2) by redesignating subsection (i) as subsection (j);

(3) by inserting after subsection (h) the following:

''(i) PHASED REDUCTION OF LOAN RATE.—For each of the 2012, 2013, and 2014 crops of sugar beets and sugarcane, the Secretary shall lower the loan rate for each succeeding crop in a manner that progressively and uniformly lowers the loan rate for sugar beets and sugarcane to $0 for the 2015 crop.''; and

(4) in subsection (j) (as redesignated), by striking ''2012'' and inserting ''2014''.

(b) PROSPECTIVE REPEAL.—Effective beginning with the 2015 crop of sugar beets and sugarcane, section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 1303. ELIMINATION OF SUGAR PRICE SUPPORT AND PRODUCTION ADJUSTMENT PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) a processor of any of the 2015 or subsequent crops of sugarcane or sugar beets shall not be eligible for a loan under any provision of law with respect to the crop; and

(2) the Secretary may not make price support available, whether in the form of a loan, payment, purchase, or other operation, for any of the 2015 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.

(b) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) IN GENERAL.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking ''sugar cane for sugar, sugar beets for sugar,''.

(c) GENERAL POWERS.—

(1) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph—

(A) in paragraph (1), by inserting ''(other than sugar beets and sugarcane)'' after ''commodities''; and

(B) in paragraph (3), by inserting ''(other than sugar beets and sugarcane)'' after ''commodity''.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting '', sugar beets, and sugarcane'' after ''tobacco''.

(3) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking ''milk, sugar beets, and sugarcane'' and inserting '', and milk''.

(4) COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.—Section 167 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7287) is repealed.

(5) SUSPENSION AND REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.—Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended—

(A) by striking subparagraph (E); and

(B) by redesignating subparagraphs (F) through (I) as subparagraphs (E) through (H), respectively.

(6) STORAGE FACILITY LOANS.—Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971) is repealed.

(7) FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.—Effective beginning with the 2013 crop of sugar beets and sugarcane, section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(d) TRANSITION PROVISIONS.—This section and the amendments made by this section shall not affect the liability of any person under any provision of law as in effect before the application of this section and the amendments made by this section.

SEC. 1304. TARIFF-RATE QUOTAS.

(a) ESTABLISHMENT.—Except as provided in subsection (c) and notwithstanding any other provision of law, not later than October 1, 2012, the Secretary shall develop and implement a program to increase the tariff-rate quotas for raw cane sugar and refined sugars for a quota year in a manner that ensures—

(1) a robust and competitive sugar processing industry in the United States; and

(2) an adequate supply of sugar at reasonable prices in the United States.

(b) FACTORS.—In determining the tariff-rate quotas necessary to satisfy the requirements of subsection (a), the Secretary shall consider the following:

(1) The quantity and quality of sugar that will be subject to human consumption in the United States during the quota year.

(2) The quantity and quality of sugar that will be available from domestic processing of sugarcane, sugar beets, and in-process beet sugar.

(3) The quantity of sugar that would provide for reasonable carryover stocks.

(4) The quantity of sugar that will be available from carryover stocks for human consumption in the United States during the quota year.

(5) Consistency with the obligations of the United States under international agreements.

(c) EXEMPTION.—Subsection (a) shall not include specialty sugar.

(d) DEFINITIONS.—In this section, the terms ''quota year'' and ''human consumption'' have the meaning such terms had under section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) (as in effect on the day before the date of the enactment of this Act).

SEC. 1305. APPLICATION.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle shall apply beginning with the 2012 crop of sugar beets and sugarcane.

SA 2161. Mrs. GILLIBRAND 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 331, between lines 2 and 3, insert the following:

SEC. 4009. PLAN FOR INTERVIEWING HOUSEHOLDS.

Section 11(e)(3) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(3)) is amended by striking ''by way of'' and inserting ''using a plan for interviewing households at the time of application and recertification of eligibility, in a manner approved by the Secretary and that is adequate to ensure the integrity of the program and accuracy of payments, but not requiring that every applicant household be interviewed at application or that every participating household be interviewed at every recertification, and using''.

SA 2162. Mr. MCCAIN (for himself, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. PORTMAN, Ms. AYOTTE, Ms. COLLINS, Mr. GRAHAM, Mr. CORNYN, and Mr. VITTER) 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 subtltie C of title XII, add the following:

SEC. 12207. REPORT ON EFFECTS OF BUDGET SEQUESTRATION ON THE DEPARTMENT OF DEFENSE.

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

(1) The inability of the Joint Select Committee on Deficit Reduction to find $1,200,000,000,000 in savings will trigger automatic funding reductions known as ''sequestration'' to the Department of Defense of $492,000,000,000 between 2013 and 2021 under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).

(2) These reductions are in addition to reductions of $487,000,000,000 already being implemented by the Department of Defense, and would decrease the readiness and capabilities of the Armed Forces while increasing risks to the effective implementation of the National Security Strategy of the United States.

(3) The leaders of the Department of Defense have consistently testified that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these reductions would ''inflict severe damage to our national defense for generations'', comments that have been echoed by the Secretaries of the Army, Navy, and Air Force.

(4) While reductions in funds available for the Department of Defense will automatically commence January 2, 2013, uncertainty regarding the reductions has already exacerbated Department of Defense efforts to plan future defense budgets.

(5) Sequestration will have a detrimental effect on the industrial base that supports the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the appropriate committees of Congress a detailed report on the impact on the Department of Defense of the sequestration of funds authorized and appropriated for fiscal year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

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

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

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

(D) A list of the programs, projects, and activities across the Department of Defense, the military departments, and the elements and components of the Department of Defense that would be reduced or terminated as a result of sequestration.

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

(F) An assessment of the impact on ongoing military operations, and the safety of United States military personnel, of sequestration of funds in accounts for overseas contingency operations.

(3) ASSUMPTIONS.—The report required by paragraph (1) shall assume the following:

(A) Except as provided in subparagraph (B), the funds subject to sequester are the funds in all 050 accounts, including all unobligated balances.

(B) Funds in accounts for military personnel are exempt from the sequester.

(4) PRESENTATION OF CERTAIN INFORMATION.—In listing programs, projects, and activities under paragraph (2)(D), the report required by paragraph (1) shall set forth for each the following:

(A) The most specific level of budget item identified in applicable appropriations Acts.

(B) Related classified annexes and explanatory statements.

(C) Department of Defense budget justification documents DOD P 1 and R 1 as subsequently modified by congressional action, and as submitted by the Department of Defense together with the budget materials for the budget of the President for fiscal year 2013 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code).

(D) Department of Defense document O 1 for operation and maintenance accounts for fiscal year 2013, for which purpose the term ''program, project, or activity'' means the budget activity account and sub account for the program, project, or activity as submitted in such document O 1.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services, Appropriations, and the Budget of the Senate; and

(2) the Committees on Armed Services, Appropriations, and the Budget of the House of Representatives.

SA 2163. Mr. MCCAIN 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. 122____. PROHIBITION ON USE OF FEDERAL FUNDS RELATING TO ETHANOL BLENDER PUMPS AND ETHANOL STORAGE FACILITIES.

Effective beginning on the date of enactment of this Act, no funds made available by Federal law shall be expended to construct, fund, install, or operate an ethanol blender pump or an ethanol storage facility (unless the funds are expended to construct, fund, install, or operate an ethanol blender pump or an ethanol storage facility for use by motor vehicle fleets operated by a Federal agency), including—

(1) funds in any trust fund to which funds are made available by Federal law; and

(2) any funds made available under the Rural Energy for America Program established under section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

SA 2164. Mr. LEAHY 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. CRIMINAL PENALTIES UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT RELATING TO MISBRANDED OR ADULTERATED FOOD.

Section 303(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(a)) is amended—

(1) in paragraph (1), by striking ''Any'' and inserting ''Except as provided in paragraph (2) or (3), any'';

(2) in paragraph (2), by striking ''Notwithstanding the provisions of paragraph (1) of this section, if'' and inserting ''If''; and

(3) by adding at the end the following:

''(3) Any person who violates subsection (a), (b), (c), or (k) of section 301 with respect to any food—

''(A) knowingly and intentionally to defraud or mislead; and

''(B) with conscious or reckless disregard of a risk of death or serious bodily injury,

shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both.''.

SA 2165. Mr. BARRASSO (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr.

SESSIONS, Mr. HELLER, Mr. VITTER, and Mr. CRAPO) 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. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—Neither the Secretary of the Army nor the Administrator of the Environmental Protection Agency shall—

(1) finalize the proposed guidance described in the notice of availability and request for comments entitled ''EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act'' (EPA HQ OW 2011 0409) (76 Fed. Reg. 24479 (May 2, 2011)); or

(2) use the guidance described in paragraph (1), or any substantially similar guidance, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any substantially similar guidance, as the basis for any rule shall be grounds for vacation of the rule.

SA 2166. Mr. RUBIO 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. ___. PAYMENT OF HIGHER WAGES.

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

(1) by inserting ''(1)'' after ''(a)''; and

(2) by adding at the end the following:

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

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

''(B) a collective bargaining contract or agreement renewed or entered into after the date of enactment of the RAISE Act,

shall prohibit an employer from paying an employee in the unit greater wages, pay, or other compensation for, or by reason of, his or her services as an employee of such employer, than provided for in such contract or agreement.''.

SA 2167. Mr. GRASSLEY 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 140, strike line 1 and insert the following:

(b) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (d) and inserting the following:

''(d) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of marketing loan gains and loan deficiency payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle B of the Agriculture Reform, Food, and Jobs Act of 2012 (or a successor provision) for—

''(1) peanuts may not exceed $75,000; and

''(2) 1 or more other covered commodities may not exceed $75,000.''.

(c) CONFORMING AMENDMENTS.—

On page 143, line 9, strike ''(c)'' and insert ''(d)''.

SA 2168. Mr. GRASSLEY 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 139, lines 17 and 18, strike ''PEANUTS AND OTHER''.

On page 139, lines 22 through 24, strike ''for—'' and all that follows through ''1 or more other'' and insert ''for 1 or more''.

SA 2169. Mr. GRASSLEY 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 424, between lines 3 and 4, insert the following:

''(d) LIMITATION ON PERIOD BORROWERS ARE ELIGIBLE FOR GUARANTEED LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall not guarantee a loan under this chapter for a borrower for any year after the 15th year that a guarantee is provided with respect to, the borrower under this chapter.

''(2) WAIVERS.—

''(A) IN GENERAL.—The Secretary may, on a case-by-case basis not subject to administrative appeal, grant a borrower a waiver from the limitation period under paragraph (1) if the borrower demonstrates to the satisfaction of the Secretary that—

''(i) the borrower has a viable farm or ranch operation; and

''(ii) the borrower is unable to obtain a commercial loan without a loan guarantee.

''(B) WAIVER PERIOD.—A waiver issued under subparagraph (A) shall not be for a period of more than 3 years.

SA 2170. Mr. GRASSLEY (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 998, between lines 7 and 8, insert the following:

SEC. 12106. PROHIBITION ON PACKERS OWNING, FEEDING, OR CONTROLLING LIVESTOCK.

(a) IN GENERAL.—Section 202 of the Packers and Stockyards Act, 1921 (7 U.S.C. 192), is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

''(f) Own or feed livestock directly, through a subsidiary, or through an arrangement that gives the packer operational, managerial, or supervisory control over the livestock, or over the farming operation that produces the livestock, to such an extent that the producer is no longer materially participating in the management of the operation with respect to the production of the livestock, except that this subsection shall not apply to—

''(1) an arrangement entered into within 14 days (excluding any Saturday or Sunday) before slaughter of the livestock by a packer, a person acting through the packer, or a person that directly or indirectly controls, or is controlled by or under common control with, the packer;

''(2) a cooperative or entity owned by a cooperative, if a majority of the ownership interest in the cooperative is held by active cooperative members that—

''(A) own, feed, or control livestock; and

''(B) provide the livestock to the cooperative for slaughter;

''(3) a packer that is not required to report to the Secretary on each reporting day (as defined in section 212 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635a)) information on the price and quantity of livestock purchased by the packer; or

''(4) a packer that owns 1 livestock processing plant; or''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by subsection (a) take effect on the date of enactment of this Act.

(2) TRANSITION RULES.—In the case of a packer that on the date of enactment of this Act owns, feeds, or controls livestock intended for slaughter in violation of section 202(f) of the Packers and Stockyards Act, 1921 (as amended by subsection (a)), the amendments made by subsection (a) apply to the packer—

(A) in the case of a packer of swine, beginning on the date that is 18 months after the date of enactment of this Act; and

(B) in the case of a packer of any other type of livestock, beginning as soon as practicable, but not later than 180 days, after the date of enactment of this Act, as determined by the Secretary.

SA 2171. Mr. SESSIONS 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 313, after line 25, insert the following:

SEC. 4003. SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended by adding at the end the following:

''(o) SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS.—

''(1) DEFINITION OF SATISFACTORY IMMIGRATION STATUS.—In this subsection, the term 'satisfactory immigration status' means an immigration status under which an individual is eligible for benefits under the supplemental nutrition assistance program, if the individual otherwise meets the requirements of this Act.

''(2) DECLARATION.—

''(A) IN GENERAL.—As a condition of eligibility for the supplemental nutrition assistance program, the Secretary shall require each head of a household seeking to participate in the program to submit to the applicable State agency a written declaration in accordance with subparagraph (B), which the head of household shall sign under penalty of perjury.

''(B) CONTENTS.—The head of household shall certify in the written declaration under subparagraph (A) that each member of the household is—

''(i) national of the United States (as that term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); or

''(ii) in a satisfactory immigration status.

''(3) DOCUMENTATION.—

''(A) NATIONALS OF THE UNITED STATES.—Subject to subparagraph (B), for each member of a household for which a certification is made under clause (i) of paragraph (2)(B), the head of household shall submit to the

State agency administering the supplemental nutrition assistance program documentation demonstrating that each such member is a national of the United States that is—

''(i) a document showing birth in the United States;

''(ii) a United States consular report of birth;

''(iii) a United States passport;

''(iv) a Certificate of Naturalization; or

''(v) a Certificate of Citizenship.

''(B) SATISFACTORY IMMIGRATION STATUS.—Subject to subparagraph (B), for each member of a household for which a certification is made under clause (ii) of paragraph (2)(B), the head of household shall submit to the State agency administering the supplemental nutrition assistance program—

''(i) alien registration documentation or other proof of immigration registration issued by the Secretary of Homeland Security that contains—

''(I) the alien admission number of the individual; and

''(II) the alien file number of the individual; or

''(ii) any other document that the State agency determines constitutes reasonable evidence of a satisfactory immigration status.

''(C) ADULT HOUSEHOLD MEMBERS.—An individual who is a member of a household who is 18 years of age or older for which a certification is made under clause (i) or (ii) of paragraph (2)(B) shall submit to the State agency the documentation described in subparagraph (A) or (B) on such individual's own behalf.

''(4) SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM.—For documentation described in paragraph (3)(B), the State agency to which the documentation is submitted shall use the alien admission number or alien file number of the individual to verify the immigration status of the individual using the Systematic Alien Verification for Entitlements Program of the United States Citizenship and Immigration Services.''.

SA 2172. Mr. SESSIONS 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 335, between lines 8 and 9, insert the following:

SEC. 4011. REPEAL OF STATE BONUS PAYMENTS.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

SA 2173. Mr. SESSIONS (for himself and Ms. AYOTTE) 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 4002 and insert the following:

SEC. 4002. STANDARD UTILITY ALLOWANCE.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C), by striking clause (iv); and

(2) in subsection (k), by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))''; and

(2) in subparagraph (A), by inserting before the semicolon the following: '', except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SA 2174. Mr. SESSIONS 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 312, between lines 8 and 9, insert the following:

SEC. 4002. LIMITATION ON CATEGORICAL ELIGIBILITY.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the second sentence of subsection (a), by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance''; and

(2) in subsection (j), by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

SA 2175. Mr. BARRASSO 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. 122___. GRAZING PERMITS AND LEASES.

(a) TERMS OF GRAZING PERMITS AND LEASES.—Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking ''ten years'' each place it appears and inserting ''20 years''; and

(2) in subsection (b)—

(A) by striking ''or'' at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.''.

(b) RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.—Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

''SEC. 405. RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING OF GRAZING PERMITS AND LEASES.

''(a) DEFINITIONS.—In this section:

''(1) CURRENT GRAZING MANAGEMENT.—The term 'current grazing management' means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

''(2) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture, with respect to National Forest System land; and

''(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

''(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

''(1) section 402;

''(2) section 19 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act'; 16 U.S.C. 5801);

''(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

''(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa 50).

''(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

''(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

''(e) RENEWAL, TRANSFER, OR REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

''(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at the sole discretion of the Secretary concerned, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

''(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

''(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the land use and resource management plan of the allotment, as determined by the Secretary concerned; or

''(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

''(g) PRIORITY AND TIMING FOR COMPLETING ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

''(h) NEPA EXEMPTIONS.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

''(1) Crossing and trailing authorizations of domestic livestock.

''(2) Transfer of grazing preference.''.

SA 2176. Mr. BARRASSO 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 880, between lines 3 and 4, insert the following:

SEC. 83_____. COOPERATIVE AGREEEMENTS FOR FOREST, RANGELAND, AND WATERSHED RESTORATION AND PROTECTION SERVICES.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that contains National Forest System land or Bureau of Land Management land located west of the 100th meridian.

(2) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to Bureau of Land Management land.

(3) STATE FORESTER.—The term ''State forester'' means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration and protection services described in paragraph (2) on National Forest System land or Bureau of Land Management land, as applicable, in the eligible State.

(2) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration and protection services referred to in paragraph (1) include the conduct of—

(A) activities to treat insect infected trees;

(B) activities to reduce hazardous fuels; and

(C) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(3) STATE AS AGENT.—Except as provided in paragraph (6), a cooperative agreement or contract entered into under paragraph (1) may authorize the State forester to serve as the agent for the Secretary in providing the restoration and protection services authorized under paragraph (1).

(4) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration and protection services authorized under a cooperative agreement or contract entered into under paragraph (1).

(5) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under paragraph (1).

(6) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration and protection services to be provided under this section by a State forester on National Forest System land or Bureau of Land Management land, as applicable, shall not be delegated to a State forester or any other officer or employee of the eligible State.

(7) APPLICABLE LAW.—The restoration and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service or Bureau of Land Management, as applicable.

SA 2177. Mr. PAUL 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. ____. NAVIGABLE WATERS.

(a) SHORT TITLE.—This section may be cited as the ''Defense of Environment and Property Act of 2012''.

(b) NAVIGABLE WATERS.—

(1) IN GENERAL.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by striking paragraph (7) and inserting the following:

''(7) NAVIGABLE WATERS.—

''(A) IN GENERAL.—The term 'navigable waters' means the waters of the United States, including the territorial seas, that are—

''(i) navigable-in-fact; or

''(ii) permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.

''(B) EXCLUSIONS.—The term 'navigable waters' does not include—

''(i) waters that—

''(I) do not physically abut waters described in subparagraph (A); and

''(II) lack a continuous surface water connection to navigable waters;

''(ii) man-made or natural structures or channels—

''(I) through which water flows intermittently or ephemerally; or

''(II) that periodically provide drainage for rainfall; or

''(iii) wetlands without a continuous surface connection to bodies of water that are waters of the United States.

''(C) EPA AND CORPS ACTIVITIES.—An activity carried out by the Administrator or the Corps of Engineers shall not, without explicit State authorization, impinge upon the traditional and primary power of States over land and water use.

''(D) AGGREGATION; WETLANDS.—

''(i) AGGREGATION.—Aggregation of wetlands or waters not described in clauses (i) through (iii) of subparagraph (B) shall not be used to determine or assert Federal jurisdiction.

''(ii) WETLANDS.—Wetlands described in subparagraph (B)(iii) shall not be considered to be under Federal jurisdiction.

''(E) APPEALS.—A jurisdictional determination by the Administrator that would affect the ability of a State to plan the development and use (including restoration, preservation, and enhancement) of land and water resources may be appealed by the State during the 30-day period beginning on the date of the determination.

''(F) TREATMENT OF GROUND WATER.—Ground water shall—

''(i) be considered to be State water; and

''(ii) not be considered in determining or asserting Federal jurisdiction over isolated or other waters, including intermittent or ephemeral water bodies.

''(G) PROHIBITION ON USE OF NEXUS TEST.—Notwithstanding any other provision of law, the Administrator may not use a significant nexus test (as used by EPA in the proposed document listed in section 3(a)(1)) to determine Federal jurisdiction over navigable waters and waters of the United States (as those terms are defined and used, respectively, in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362)).''.

(2) APPLICABILITY.—Nothing in this subsection or the amendments made by this subsection affects or alters any exemption under—

(A) section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)); or

(B) section 404(f) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)).

(c) APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.—

(1) IN GENERAL.—The following regulations and guidance shall have no force or effect:

(A) The final rule of the Corps of Engineers entitled ''Final Rule for Regulatory Programs of the Corps of Engineers'' (51 Fed. Reg. 41206 (November 13, 1986)).

(B) The proposed rule of the Environmental Protection Agency entitled ''Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of 'Waters of the United States' '' (68 Fed. Reg. 1991 (January 15, 2003)).

(C) The guidance document entitled ''Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in 'Rapanos v. United States' & 'Carabell v. United States' '' (December 2, 2008) (relating to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)).

(D) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term ''navigable waters''.

(2) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

(d) STATE REGULATION OF WATER.—Nothing in this section affects, amends, or supersedes—

(1) the right of a State to regulate waters in the State; or

(2) the duty of a landowner to adhere to any State nuisance laws (including regulations) relating to waters in the State.

(e) CONSENT FOR ENTRY BY FEDERAL REPRESENTATIVES.—Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) ENTRY BY FEDERAL AGENCY.—A representative of a Federal agency shall only enter private property to collect information about navigable waters if the owner of that property—

''(A) has consented to the entry in writing;

''(B) is notified regarding the date of the entry; and

''(C) is given access to any data collected from the entry.

''(2) ACCESS.—If a landowner consents to entry under paragraph (1), the landowner shall have the right to be present at the time any data collection on the property of the landowner is carried out.''.

(f) COMPENSATION FOR REGULATORY TAKING.—

(1) IN GENERAL.—If a Federal regulation relating to the definition of navigable waters or waters of the United States diminishes the fair market value or economic viability of a property, as determined by an independent appraiser, the Federal agency issuing the regulation shall pay the affected property owner an amount equal to twice the value of the loss.

(2) ADMINISTRATION.—Any payment provided under paragraph (1) shall be made from the amounts made available to the relevant agency head for general operations of the agency.

(3) APPLICABILITY.—A Federal regulation described in paragraph (1) shall have no force or effect until the date on which each landowner with a claim under this subsection relating to that regulation has been compensated in accordance with this subsection.

SA 2178. Mr. PAUL 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. ____. FREEDOM FROM OVERCRIMINALIZATION AND UNJUST SEIZURES.

(a) PROHIBITED ACTS.—Section 3(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3372(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''or in violation of any foreign law''; and

(B) in subparagraph (B)—

(i) in clause (i), by striking '', or any foreign law,'';

(ii) in clause (ii), by striking ''or any foreign law''; and

(iii) in clause (iii), by striking '', or under any foreign law,''; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ''foreign law or''; and

(B) in subparagraph (B)—

(i) in clause (i), by striking '', or any foreign law,'';

(ii) in clause (ii), by striking ''or any foreign law''; and

(iii) in clause (iii), by striking '', or under any foreign law,''.

(b) PENALTIES.—Section 4 of the Lacey Act Amendments of 1981 (16 U.S.C. 3373) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) ASSESSMENT.—

''(A) IN GENERAL.—Any person who engages in conduct prohibited by any provision of this Act (other than subsections (b), (d), and (f) of section 3) and in the exercise of due care should know that the fish, wildlife, or plants were taken, possessed, transported, or sold in violation of, or in a manner unlawful under, any underlying law, treaty, or regulation, and any person who knowingly violates subsection (d) or (f) of section 3, may be assessed a civil penalty by the Secretary for each violation in accordance with subparagraph (B) or (C), as applicable.

''(B) MARKET VALUE OF LESS THAN $350.—If a violation under subparagraph (A) involves fish or wildlife or plants with a market value of less than $350 and involves only the transportation, acquisition, or receipt of fish, wildlife, or plants taken or possessed in violation of any law, treaty, or regulation of the United States, tribal law, or any law or regulation of a State, the penalty assessed under subparagraph (A) for the violation shall not exceed the lesser of—

''(i) the maximum amount of the penalty provided for violation of the law or regulation; or

''(ii) $10,000.

''(C) OTHER VIOLATIONS.—For any violation under subparagraph (A) that is not described in subparagraph (B), the penalty assessed under that subparagraph shall not exceed $200,000.''; and

(2) by striking subsections (d) and (e).

(c) FORFEITURE.—Section 5 of the Lacey Act Amendments of 1981 (16 U.S.C. 3374) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—All fish, wildlife, or plants imported, exported, transported, sold, received, acquired, or purchased in violation of section 3 (other than subsection (b) of that section), or any regulation issued under that section, shall be subject to forfeiture to the United States notwithstanding any culpability requirements for civil penalty assessment under section 4.'';

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(3) in subsection (b) (as redesignated), by striking ''convicted of an offense, or assessed a civil penalty,'' and inserting ''assessed a civil penalty''.

(d) ENFORCEMENT.—

(1) IN GENERAL.—Section 6 of the Lacey Act Amendments of 1981 (16 U.S.C. 3375) is amended—

(A) by striking subsection (b);

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(C) in subsection (b) (as redesignated), by striking the third sentence; and

(D) in the first sentence of subsection (c) (as redesignated)—

(i) by striking ''an arrest, a criminal conviction, civil penalty assessment, or forfeiture of property'' and inserting ''a civil penalty assessment or forfeiture of property''; and

(ii) by striking ''or criminal''.

(2) CONFORMING AMENDMENTS.—

(A) Section 3(c)(3) of the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 7421(c)(3)) is amended by striking ''section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))'' and inserting ''section 6(c) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(c))''.

(B) Section 503(b) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1423b(b)) is amended—

(i) by striking the subsection designation and heading and all that follows through ''The Secretary may utilize'' in paragraph (1) and inserting the following:

''(b) UTILIZATION OF OTHER GOVERNMENT RESOURCES AND AUTHORITIES.—The Secretary may utilize''; and

(ii) by striking paragraph (2).

(C) Section 11(d) of the Endangered Species Act of 1973 (16 U.S.C. 1540(d)) is amended in the fourth sentence by striking ''section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))'' and inserting ''section 6(c) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(c))''.

(D) Section 7(f) of the Rhinoceros and Tiger Conservation Act (16 U.S.C. 5305a(f)) is amended by striking ''section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))'' and inserting ''section 6(c) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(c))''.

(E) Section 524(c)(4)(A) of title 28, United States Code, is amended by striking ''section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))'' and inserting ''section 6(c) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(c))''.

(F) Section 1402(b)(1)(A)(ii) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(b)(1)(A)(ii)) is amended by striking ''section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))'' and inserting ''section 6(c) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(c))''.

(e) EXCEPTIONS.—Section 8 of the Lacey Act Amendments of 1981 (16 U.S.C. 3377) is amended by striking subsection (b) and inserting the following:

''(b) ACTIVITIES REGULATED BY TUNA CONVENTION ACTS.—Paragraphs (1), (2)(A), and (3)(A) of subsection 3(a) shall not apply to any activity regulated by the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.) or the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.).''.

SA 2179. Mr. PAUL 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. _____. CARRYING OF FIREARMS BY DEPARTMENT EMPLOYEES.

(a) AUTHORITY OF THE OFFICE OF THE INSPECTOR GENERAL.—Section 1337 of the Agriculture and Food Act of 1981 (7 U.S.C. 2270) is amended—

(1) in paragraph (1), by inserting ''and'' after the semicolon;

(2) in paragraph (2), by striking ''; and''; and

(3) by striking paragraph (3).

(b) FIREARM AUTHORITY OF EMPLOYEES ENGAGED IN ANIMAL QUARANTINE ENFORCEMENT.—

(1) IN GENERAL.—Section 1 of Public Law 97 312 (7 U.S.C. 2274) is repealed.

(2) EFFECT ON REGULATIONS.—Any regulation promulgated by the Secretary of Agriculture under section 1 of Public Law 97 312 (7 U.S.C. 2274) shall have no force or effect.

(3) CONFORMING AMENDMENT.—Section 2 of Public Law 97 312 (96 Stat. 1461) is redesignated as section 1.

(c) ENFORCEMENT PROVISIONS.—Section 204(b)(1) of the Sikes Act (16 U.S.C. 670j(b)) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) through (v) as clauses (i) through (iv), respectively, and by indenting appropriately.

SA 2180. Mr. PAUL 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. ____. INTERSTATE TRAFFIC OF UNPASTEURIZED MILK AND MILK PRODUCTS.

(a) SALE ALLOWED.—Notwithstanding the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), section 361 of the Public Health Service Act (42 U.S.C. 264), and any regulations or other guidance issued under such Act or section, a Federal department, agency, or court may not take any action (such as administrative, civil, criminal, or other actions) that would prohibit, interfere with, regulate, or otherwise restrict the interstate traffic of milk, or a milk product, that is unpasteurized and packaged for direct human consumption, if such restriction is based on the determination that, solely because such milk or milk product is unpasteurized, such milk or milk product is adulterated, misbranded, or otherwise in violation of Federal law.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) The terms ''interstate traffic'', ''milk'', and ''milk product'' have the meanings given those terms in section 1240.3 of title 21, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) The term ''packaged for direct human consumption'' means milk and milk products that are packaged for the final consumer and intended for human consumption. Such term does not include milk and milk products that are packaged for additional processing, including pasteurization, before being consumed by humans.

(3) The term ''pasteurized'' means the process of heating milk and milk products to the applicable temperature specified in the tables contained in section 1240.61 of title 21, Code of Federal Regulations (or successor regulations), and held continuously at or above that temperature for at least the corresponding specified time in such tables.

SA 2181. Mr. PAUL 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 1605 and insert the following:

SEC. 1605. AVERAGE ADJUSTED GROSS INCOME LIMITATION.

Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308 3a) is amended by striking subsection (b) and inserting the following:

''(b) LIMITATIONS.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any payment or other benefit under the Agriculture Reform, Food, and Jobs Act of 2012, or any amendment made by that Act, during a crop, fiscal, or program year, as appropriate, if the average adjusted gross income of the person or legal entity exceeds $250,000.''.

SA 2182. Mr. PAUL 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:

Beginning on page 312, strike line 2 and all that follows through page 342, line 10, and insert the following:

Subtitle A—Supplemental Nutrition Assistance Block Grant Program

SEC. 4001. PURPOSE.

The purpose of this subtitle is to empower States with programmatic flexibility and financial predictability in designing and operating State programs—

(1) to raise the levels of nutrition among low-income households;

(2) to provide supplemental nutrition assistance benefits to households with income and resources that are insufficient to meet the costs of providing adequate nutrition; and

(3) to provide States the flexibility to provide new and innovative means to accomplish paragraphs (1) and (2) based on the population and particular needs of each State.

SEC. 4002. STATE PLANS.

(a) IN GENERAL.—To receive a grant under section 4003, a State shall submit to the Secretary a written plan that describes the manner in which the State intends to conduct a supplemental nutrition assistance program that—

(1) is designed to serve all political subdivisions in the State;

(2) provides supplemental nutrition assistance benefits to low-income households for the sole purpose of purchasing food, as defined by the applicable State agency in the plan; and

(3) limits participation in the supplemental nutrition assistance program to those households the incomes and other financial resources of which, held singly or in joint ownership, are determined by the State to be a substantial limiting factor in permitting the members of the household to obtain a more nutritious diet.

(b) REQUIREMENTS.—Each plan shall include—

(1) specific objective criteria for—

(A) the determination of eligibility for nutritional assistance for low-income households, which may be based on standards relating to income, assets, family composition, beneficiary population, age, work, current participation in other Federal government means-tested programs, and work, student enrollment, or training requirements; and

(B) fair and equitable treatment of recipients and provision of supplemental nutrition assistance benefits to all low-income households in the State; and

(2) a description of—

(A) benefits provided based on the aggregate grant amount; and

(B) the manner in which supplemental nutrition assistance benefits will be provided under the State plan, including the use of State administration organizations, private contractors, or consultants.

(c) CERTIFICATION OF THE ADMINISTRATION OF THE PROGRAM.—

(1) IN GENERAL.—The Governor of each State that receives a grant under section 4003 shall issue a certification to the Secretary in accordance with this subsection.

(2) ADMINISTRATION.—The certification shall specify which 1 or more State agencies will administer and supervise the State plan under this section.

(3) PROVISION OF BENEFITS ONLY TO LOW-INCOME INDIVIDUALS AND HOUSEHOLDS.—

(A) IN GENERAL.—The certification shall certify that the State will—

(i) only provide supplemental nutrition assistance to low-income individuals and households in the State; and

(ii) take such action as is necessary to prohibit any household or member of a household that does not meet the criteria described in subparagraph (B) from receiving supplemental nutrition assistance benefits.

(B) CRITERIA.—A household shall meet the criteria described in this subparagraph if the household is—

(i) a household in which each member receives benefits under the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

(ii) a low-income household that does not exceed 100 percentage of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) for a family of the size involved as the State shall establish; or

(iii) a household in which each member receives benefits under a State or Federal general assistance program that complies with income criteria standards comparable to or more restrictive than the standards established under clause (ii).

(4) PROVISION OF BENEFITS ONLY TO CITIZENS AND LAWFUL PERMANENT RESIDENTS OF THE UNITED STATES.—The certification shall certify that the State will—

(A) only provide supplemental nutrition assistance to citizens and lawful permanent residents of the United States; and

(B) take such action as is necessary to prohibit supplemental nutrition assistance benefits from being provided to any individual or household a member of which is not a citizen or lawful permanent resident of the United States.

(5) CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE AGAINST PROGRAM FRAUD, WASTE AND ABUSE.—The certification shall certify that the State—

(A) has established and will continue to enforce standards and procedures to ensure against program fraud, waste, and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage; and

(B) will prohibit from further receipt of benefits under the program any recipient who attempts to receive benefits fraudulently.

(6) LIMITATION ON SECRETARIAL AUTHORITY.—The Secretary—

(A) may only review a State plan submitted under this section for the purpose of confirming that a State has submitted the required documentation; and

(B) shall not have the authority to approve or deny a State plan submitted under this section or to otherwise inhibit or control the expenditure of grants paid to a State under section 4003, unless a State plan does not comply with the requirements of this section.

SEC. 4003. GRANTS TO STATES.

(a) IN GENERAL.—Beginning 120 days after the date of enactment of this Act, and annually thereafter, each State that has submitted a plan that meets the requirements of section 4002 shall receive from the Secretary a grant in an amount determined under subsection (b).

(b) AMOUNTS OF GRANTS.—

(1) IN GENERAL.—Subject to paragraph (3), a grant received under subsection (a) shall be in an amount equal to the product of—

(A) the amount made available under section 4005 for the applicable fiscal year; and

(B) the proportion that—

(i) the number of individuals residing in the State whose income does not exceed 100 percent of the poverty line described in section 4002(c)(3)(B)(ii) applicable to a family of the size involved; bears to

(ii) the number of such individuals in all States that have submitted a plan under section 4002 for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(2) PRO RATA ADJUSTMENTS.—The Secretary shall make pro rata adjustments in the amounts determined for States under paragraph (1) for each fiscal year as necessary to ensure that—

(A) the total amount appropriated for the applicable fiscal year under section 4005 is allotted among all States that submit a plan under section 4002; and

(B) the total amount of all supplemental nutrition assistance grants for States determined for the fiscal year does not exceed the total amount appropriated for the fiscal year.

(3) ADMINISTRATIVE PROVISIONS.—

(A) QUARTERLY PAYMENTS.—The Secretary shall make each supplemental nutrition assistance grant payable to a State for a fiscal year under this section in quarterly installments.

(B) COMPUTATION AND CERTIFICATION OF PAYMENT TO STATES.—

(i) COMPUTATION.—The Secretary shall estimate the amount to be paid to each State for each quarter under this section based on a report filed by the State that shall include—

(I) an estimate by the State of the total amount to be expended by the State during the applicable quarter under the State program funded under this subtitle; and

(II) such other information as the Secretary may require.

(ii) CERTIFICATION.—The Secretary shall certify to the Secretary of the Treasury the amount estimated under clause (i) with respect to each State, adjusted to the extent of any overpayment or underpayment—

(I) that the Secretary determines was made under this subtitle to the State for any prior quarter; and

(II) with respect to which adjustment has not been made under this paragraph.

SEC. 4004. USE OF GRANTS.

(a) IN GENERAL.—Subject to subsection (b), a State that receives a grant under section 4003 may use the grant in any manner that is reasonably demonstrated to accomplish the purposes of this subtitle.

(b) LIMITATION ON USE OF GRANT FOR ADMINISTRATIVE PURPOSES.—A State may not use more than 3 percent of the amount of a grant received for a fiscal year under section 4003 for administrative purposes.

SEC. 4005. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle $45,000,000,000 for fiscal year 2013 and each fiscal year thereafter.

SEC. 4006. REPEAL.

(a) IN GENERAL.—Effective 120 days after the date of enactment of this Act, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the supplemental nutrition assistance block grant program under this subtitle.

SA 2183. Mr. PAUL 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 FOREIGN ASSISTANCE TO PAKISTAN.

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan;

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

SA 2184. Mr. WYDEN (for himself and Mr. BURR) 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—Other Matters

SEC. 3301. ACCESS OF MEMBERS OF CONGRESS AND THEIR STAFF TO DOCUMENTS RELATING TO TRADE NEGOTIATIONS.

(a) PURPOSES.—The purposes of this section are—

(1) to ensure the adequate consultation of the United States Trade Representative with Members of Congress;

(2) to provide Members of Congress with appropriate opportunities—

(A) to advise the Trade Representative with respect to the formulation of trade policy; and

(B) to propose specific negotiating objectives for trade negotiations; and

(3) to provide Members of Congress with the information necessary to assess compliance with and enforcement of commitments made by countries that are parties to trade agreements with the United States.

(b) ACCESS TO CERTAIN DOCUMENTS.—Notwithstanding section 2107 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3807) or any other provision of law, the United States Trade Representative shall provide access to documents, including classified materials, relating to negotiations for a trade agreement to which the United States may be a party and policies advanced by the Trade Representative in such negotiations to—

(1) any Member of Congress that requests such documents; and

(2) staff of such a Member with proper security clearances.

SA 2185. Mr. GRAHAM 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:

Beginning on page 312, strike line 2 and all that follows through page 342, line 10, and insert the following:

Subtitle A—Supplemental Nutrition Assistance Block Grant Program

SEC. 4001. SUPPLEMENTAL NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a supplemental nutrition assistance block grant program under which the Secretary shall make grants to each State that submits to the Secretary a plan describing the manner in which the State will carry out the supplemental nutrition assistance program in the State, including eligibility and fraud prevention requirements.

(b) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each State that has submitted a plan under subsection (a) in an amount equal to the product of—

(1) the amount made available under subsection (c) for the applicable fiscal year; and

(2) the proportion that—

(A) the number of low-income individuals (as determined by the Secretary) in the State; bears to

(B) the number of low-income individuals in all States that have submitted a plan for the applicable fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section an amount equal to the amount made available to carry out the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect on the day before the date of enactment of this Act) for fiscal year 2010.

SEC. 4002. REPEAL.

(a) IN GENERAL.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the supplemental nutrition assistance block grant program under this subtitle.

SA 2186. Mr. COBURN (for himself and Mr. DURBIN) 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.''.

SA 2187. Mr. KERRY 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 398, line 1, insert ''(including a commercial fisherman)'' after ''farmer''.

SA 2188. Mr. KERRY 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 1003, line 24, insert ''and commercially harvested fish'' after ''ornamental fish''.

SA 2189. Mr. JOHNSON of Wisconsin 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 C of title IV, add the following:

SEC. 4208. FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking ''**FRESH**'';

(2) in subsection (a), by striking ''fresh''; and

(3) by striking subsection (b) and inserting the following:

''(b) PROGRAM.—A school participating in the program—

''(1) shall make free fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school;

''(2) may make the free fruits and vegetables available in any form (such as fresh, frozen, dried, or canned) that meets any nutrition requirement prescribed by the Secretary and consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

''(3) shall purchase, to the maximum extent practicable, domestic commodities or products in compliance with section 12(n) (including any implementing regulations).''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 6, 2012, at 10 a.m., to conduct a Committee hearing entitled ''Implementing

Wall Street Reform: Enhancing Bank Supervision and Reducing Systemic Risk.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 6, 2012, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The European Union Emissions Trading System.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 6, 2012, at 10:00 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 6, 2012, at 10:00 a.m., in room SD 226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ensuring that Federal Prosecutors Meet Discovery Obligations.''

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

COMMITTEE ON THE JUDICIARY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 6, 2012, at 2:30 p.m., in room SD 226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

SPECIAL COMMITTEE ON AGING

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 6, 2012, at 2:00 p.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing entitled ''Pension Poachers: Preventing Fraud and Protecting America's Veterans.''

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

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that two detailees from my office, Herrick Fox and Benjamin Thomas, be granted floor privileges for the remainder of the debate on S. 3240, the Agriculture Reform, Food, and Jobs Act of 2012.

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

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that Chris Avery, a fellow in Senator COONS' office, be granted the privilege of the floor for the remainder of the 112th Congress.

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

Mr. BROWN of Ohio. Mr. President, on behalf of Senator LEAHY, I ask unanimous consent that Michelle Lacko, a fellow on the Senate Judiciary Committee, be granted Senate floor privileges for the duration of the debate on S. 3240, the Agriculture Reform, Food and Jobs Act of 2012.

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

Mr. PAUL. Mr. President, I ask unanimous consent that privileges of the floor be granted to Benedikt Springer from Senator MERKLEY's staff.

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

NATIONAL HUNGER AWARENESS DAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 484, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 484) designating June 7, 2012, as National Hunger Awareness Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I rise in honor of National Hunger Awareness Day, which takes place on June 7. On this day, we focus on the difficult reality that exists for millions of Americans. Hunger is a form of poverty, and the persistence of hunger in the wealthiest nation in the world is both alarming and unacceptable. It is long past due that we recognize the devastating impact of hunger and commit to protect the anti-hunger programs that help children and families in their time of need.

Today, June 6, marks a sad day in America, the forty-fourth anniversary of Senator Robert Kennedy's death. In April 1967, Senator Kennedy visited homes in the Mississippi Delta where he was stunned to see babies with distended bellies and ice boxes and cupboards bare of food. Senator Kennedy was visibly moved by those he met with on his trip and went back to Washington to make hunger a national issue and to raise federal support for hungry children and families.

Today the fight continues. Hunger remains a reality in all of our communities. We see it in the long lines at our food pantries. We hear it from seniors forced to choose between groceries and medication. And we see it in the faces of children at school who have not had a decent meal since yesterday's school lunch.

During a visit to a food bank in Champaign, IL, I noticed a young woman who I thought worked there or served on the board, but when she spoke with me I learned that she is a teacher's aide in a local school and a single mom with two kids. While she is happy to have her teaching job, she doesn't earn enough to keep food on the table and must rely on the food bank and food stamps.

Her story is not unique. Millions of families live each day not knowing if or how they will put food on the table. Rather than thinking about what the next meal will be, parents worry if there will be a next meal. Today, 50 million people have trouble putting food on the table, and 740,000 children live in a food insecure household. Where there is poverty, we see a greater demand for emergency food programs and support. Fortunately, programs like the Supplemental Nutrition Assistance Program—SNAP—Women, Infant, Children—WIC—Program, and school meal programs provide food for hungry children and families. These programs have responded to the growing need by helping low and middle-class families, children, and seniors maintain a healthy diet.

The benefits of SNAP reach far beyond helping households maintain a healthy diet. SNAP is one of the Nation's most important anti-hunger programs and has provided over 46 million Americans with essential food assistance. In Illinois, more than 1.8 million people rely on SNAP benefits. SNAP has lifted nearly 2.5 million children out of poverty, more than any other government program.

According to the United States Department of Agriculture's—USDA—Economic Research Service, $5 of SNAP benefits can generate $9 in economic activity through retail demand, farm production, and jobs. When millions of Americans are struggling, food stamps meet a basic human need.

This week the Senate will take up the Farm bill, which provides critical funding for food assistance programs, including SNAP. I am concerned about possible amendments to significantly cut the program and fundamentally alter how the program operates. SNAP provides an important safety net for households that have fallen on hard times.

Throughout the country, food banks and pantries that rely on Federal assistance are the front line of the fight against hunger, providing emergency food assistance to hungry families. At a time when millions of middle class Americans are struggling to keep up with higher gas prices, grocery bills, and health care costs, more families are looking to federal programs for assistance. Throughout the country, federal hunger assistance programs have responded to this growing need by providing essential support to hungry families. Over the past 2 years, Illinois food banks have seen a 50 percent increase in requests for food assistance.

As Americans struggle to make ends meet, they rely on food pantries to fill gaps in their grocery needs. The Central Illinois Food Bank is one of many in my State that help to meet that need. Central Illinois Food Bank celebrates its 30th anniversary today. In its

first year, the food bank had one truck and a staff of three and distributed 700,000 pounds of food to 85 agencies. The food bank now serves 150 agencies and distributes 800,000 pounds of food a month. Last year, the food bank helped over 100,000 families and provided well over 1 million pounds of fresh produce. I am grateful to the Central Illinois Food Bank for its work on the front lines of the fight to end hunger and for the safety net it provides for families having trouble putting food on the table.

The millions of Americans who rely on safety net anti-hunger programs may not have the loudest voice in the debate or big public relations firms, but we must protect these programs and work to improve the lives of vulnerable families, children, and seniors at their time of need. Hunger in America is not something we can ignore. At a time when families are working to make ends meet, this isn't the place we should be looking to for cuts. We cannot return to the scenes that Senator Robert Kennedy witnessed decades ago. We should honor his legacy by protecting these programs that help families out food on the table. No family should have to wonder where their next meal will come from.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 484) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 484

Whereas food insecurity and hunger are a fact of life for millions of individuals in the United States and can produce physical, mental, and social impairments;

Whereas recent data published by the Department of Agriculture shows that approximately 48,800,000 individuals in the United States live in households experiencing hunger or food insecurity, and of that number, 32,600,000 are adults and 16,200,000 are children;

Whereas the Department of Agriculture data also shows that households with children experience food insecurity nearly twice as frequently as households without children;

Whereas 4.8 percent of all households in the United States (approximately 5,600,000 households) have accessed emergency food from a food pantry 1 or more times;

Whereas the report entitled ''Household Food Security in the United States, 2010'', published by the Economic Research Service of the Department of Agriculture, found that in 2010, the most recent year for which data exists—

(1) 14.5 percent of all households in the United States experienced food insecurity at some point during the year;

(2) 20.2 percent of all households with children in the United States experienced food insecurity at some point during the year; and

(3) 7.9 percent of all households with elderly individuals in the United States experienced food insecurity at some point during the year;

Whereas the problem of hunger and food insecurity can be found in rural, suburban, and urban portions of the United States, touching nearly every community in the country;

Whereas, although substantial progress has been made in reducing the incidence of hunger and food insecurity in the United States, many Americans remain vulnerable to hunger and the negative effects of food insecurity;

Whereas the people of the United States have a long tradition of providing food assistance to hungry individuals through acts of private generosity and public support programs;

Whereas the Federal Government provides nutritional support to millions of individuals through numerous Federal food assistance programs, including—

(1) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(2) the child nutrition program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(3) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

(4) the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.); and

(5) food donation programs;

Whereas there is a growing awareness of the important role that community-based organizations, institutions of faith, and charities play in assisting hungry and food-insecure individuals;

Whereas more than 61,000 local, community-based organizations rely on the support and efforts of more than 600,000 volunteers to provide food assistance and services to millions of vulnerable people; and

Whereas all people of the United States can participate in hunger relief efforts in their communities by—

(1) donating food and money to hunger relief efforts;

(2) volunteering for hunger relief efforts; and

(3) supporting public policies aimed at reducing hunger: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 7, 2012, as ''National Hunger Awareness Day''; and

(2) calls on the people of the United States to observe National Hunger Awareness Day—

(A) with appropriate ceremonies, volunteer activities, and other support for anti-hunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; and

(B) by improving programs and public policies that reduce hunger and food insecurity in the United States.

AUTHORIZING LEGAL REPRESENTATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 485, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 485) to authorize representation by the Senate Legal Counsel in the case of Common Cause, et al v. Joseph R. Biden, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 485) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 485

Whereas, Joseph R. Biden, Jr., the Vice President of the United States; Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Senate Sergeant at Arms; and Elizabeth MacDonough, Senate Parliamentarian, have been named as defendants in the case of Common Cause, et al. v. Joseph R. Biden, et al., No. 1:12cv00775, now pending in the United States District Court for the District of Columbia;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers and employees of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Joseph R. Biden, Jr., the Vice President of the United States; Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Senate Sergeant at Arms; and Elizabeth MacDonough, Senate Parliamentarian, in the case of Common Cause, et al. v. Joseph R. Biden, et al.

MEASURES READ THE FIRST TIME—S. 3268 AND S. 3269

Mr. WHITEHOUSE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The assistant bill clerk read as follows:

A bill (S. 3268) to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

A bill (S. 3269) to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed.

Mr. WHITEHOUSE. I now ask for a second reading and object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the measures will be read for a second time on the next legislative day.

ORDERS FOR THURSDAY, JUNE 7, 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, June 7, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and the majority leader be recognized; that the time until

10:30 a.m. be equally divided and controlled between the two leaders or their designees; further, that following the cloture vote on the motion to proceed to S. 3240, the next hour be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

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

PROGRAM

Mr. WHITEHOUSE. Mr. President, to our colleagues, I announce that it is the intention of the majority leader to resume consideration of the motion to proceed to S. 3240, the farm bill, when the Senate convenes tomorrow. At 10:30 a.m., there will be a cloture vote on the motion to proceed to the farm bill. We hope to reach an agreement on amendments to the bill during Thursday's session.

ORDER FOR ADJOURNMENT

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the previous order, following the remarks of Senator SESSIONS.

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

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

THE BUDGET

Mr. SESSIONS. Mr. President, every summer the Congressional Budget Office produces a long-term budget outlook. This is the report they produced yesterday, which is what they do every year. It is a grim document indeed, not a document that should give us comfort but should be a call to action as to what we would need to do about the financial future of our country. It is part of their effort to produce for Congress objective, impartial analyses. We all will complain about this or that from CBO, but they are pretty objective, and they work hard to produce the kind of information we can benefit from as Americans, certainly that we in Congress need as we deal with our challenges at this period in history. They lay out, over 25 years, what we could expect to see if current policy is extended.

These are some of the things they find in this report that are certainly disturbing to us. Actually, they are more than disturbing, they are unacceptable. They are absolute proof that we are on an unsustainable debt course, and that means we have to get off it or bad things will happen. The numbers I will give from this report, as Federal Reserve Chairman Mr. Bernanke indicated last year, would not happen—events wouldn't occur because we will have a crisis before that if we continue on this path.

This is what they found: 25 years under the current policy, annual deficits would reach $5 trillion a year or 17 percent of GDP and would rise steadily thereafter. In other words, we would have in 1 year a $5 trillion deficit. This year we expect to spend $3.7 trillion total, including defense and Social Security and Medicare.

They go on to make this finding: Federal debt would reach approximately 200 percent of GDP; that is, the debt would be twice as large as the entire American economy. Japan has that high a debt. It is the highest in the world. It is financed because of Japan's unusual saving policies—financed mainly internally, but we are not financing our debt that way now. In fact, 60 to 70 percent of our debt now is being financed by the Federal Reserve, by buying Treasuries by the Federal Reserve. That is very dangerous because it is, in effect, printing money. So this is an unsustainable path.

They go on to say annual Federal spending would rise to $10 trillion a year or 36 percent of GDP. So 36 percent of the entire economy would be consumed by Federal Government spending. We are now 18 to 20 percent, in that range. This is a historic alteration of the fundamental concept of our government being a government of limited powers. That is a stunning number.

They go on to say this: Yearly interest, what we would pay yearly, would reach $2.7 trillion. That is certainly a large number. As I said, this year we spent $3.7 trillion.

The Federal debt, according to the report, will be double the size of the entire U.S. economy in 2037, 25 years from now. CBO agrees that higher levels of Federal Government debt will burden American families and destroy economic growth. We have had studies on that. Reinhart and Rogoff reports—I think most economists agree with this principle—that when taxes reach high levels, it pulls down the entire economy's ability to grow.

They go on to say each family's share of the Federal debt will climb to $382,000, per family, by 2037 or an additional $287,000 over what today's family's share of the total American debt is. That is, of course, more than twice as much.

CBO warns that ''large budget deficits and growing debt would . . . lower the growth of incomes in the United States.''

According to CBO data, over the next 20 years, high debt levels will result in $21 trillion less in economic output. This is a significant reduction in economic growth, and it is out of growth that we hope to be able to close the deficit gap. Without growth, we can't do it. But if we run our debt too high, it pulls down growth and makes it even more difficult for us to maintain the growth levels we need to get our economy and Federal budget under control.

They go on to say that government debt will also slow economic growth nearly 1 percent a year, on average, supporting a landmark study done by Reinhart and Rogoff that quantified the effect of debt on advanced economies.

I asked Secretary of Treasury Geithner about the Rogoff-Reinhart study. He said it was an excellent study. Then he added: In some ways, it understates our problems.

We were talking about this 1 percent factor. When our debt exceeds 90 percent of GDP, we lose 1 percent of growth. He acknowledged the validity of that, and then went on to say that it understates the problem, because when we reach that high debt level, we are vulnerable to an economic shock—another recession, a 2007 debt crisis, a Greek-like problem.

Government debt, the report indicates, will also slow economic growth, and that 1 percent of slowing growth, according to numbers released by the Obama administration—and I think they are pretty accurate—1 million jobs is 1 percent of GDP. So if we go from 2 percent to 1 percent GDP growth, 3 percent to 2 percent GDP growth, we lose 1 million jobs.

We don't need to be losing jobs. We need to be creating jobs, and debt is a threat to economic growth. The idea some people have that we could continue to borrow, borrow, borrow and spend, spend, spend and this will create a healthy growing economy that could be sustained is absolutely truly false, I believe.

CBO gave this ominous warning:

> Growing debt also would increase the probability of a sudden financial crisis, during which investors would lose confidence in the government's ability to manage its budget and the government would thereby lose its ability to borrow at affordable rates.

It seems to me pretty clear, if we look at the numbers, that spending is the primary cause of our long-term fiscal imbalance—that and a lack of growth.

Under both the baseline and current policy scenarios set out by CBO, spending will remain well above historical averages. So it is not as if they are assuming we will cut spending and that we will reduce what the government spends each year. They are assuming the spending levels will be well above historical averages. If we return those spending levels to historical averages, I believe we then have a far better chance to get our economy under control, rather than just asking the American people to send more money to Washington.

Under current policy, annual Federal spending will exceed $10 trillion—or 36 percent of GDP—by 2037. Twenty-five years used to seem like a long time to me, but as I have gotten older, 25 is a lot shorter period of time.

By 2025, the report indicates, mandatory health spending, Social Security spending, and interest costs—Medicare and Medicaid, mandatory health spending—Social Security, and interest costs will consume 100 percent of the revenues this government is expected to receive; the Defense Department, zero; the Education Department, zero; Federal highway bill funds, zero. All of it would just be in those programs. That reveals to us that necessity of looking at those programs, to think that we can deal with our surging deficits without confronting the fact that the largest, most sustained growth areas are Social Security, Medicare, Medicaid, and interest on the debt.

What about raising taxes? Why don't we raise taxes? There are problems with raising taxes. It has consequences. It weakens the private sector. It takes more money from the private sector where the money is earned, where growth is generated, and distributes it to the governmental sector—which, I have to tell you, is not as efficient and productive and hasn't proven it is and has not gone through what private business has gone through, which is to make themselves more efficient, more productive, and utilize technology and advanced techniques to produce more widgets for less cost. The Federal Government has not done that.

This is what CBO said:

> To the extent that additional tax revenues were generated by boosting marginal tax rates, those higher rates would discourage people from working and saving, further reducing output and income.

There is no doubt about that. This is not some rightwing scenario. If we keep raising taxes on the productive sector, we are going to have less of it. It will discourage people from working and saving, further reducing output and income. That is an economic fact. It is not a scare tactic. So it is not just something we can do. Why don't we just raise taxes? That is the reason. It weakens economic growth. It weakens the private sector. It empowers the government, violates our heritage of limited government, and is not healthy for American families and job creation.

The Congressional Budget Office agrees we cannot wait; that we cannot continue to delay action on the deficits. This is what they say in this report:

> Waiting to address the long-term budgetary imbalance and allowing debt to mount in the meantime would be detrimental to future generations.

We don't need to do things that are detrimental to future generations. We are already leaving them with more debt than we ever should, and we need to get off this path.

I have told this story, but back in Marion, AL, I was at a house of a World War II veteran just less than 2 years ago. Mr. Wheeler has since passed away, but he was the last person to speak as I was listening to people's views. He said he lived through the Depression and served in World War II, he lived through the inflationary period in the 1970s and 1980s, and the problem we face is not the high cost of living; the problem we face is the cost of living too high. Frankly, that is what has happened. Individually, we have lived too high. We have to deleverage. Individual families are doing it. The government has lived too high. It has assumed too much debt, and there is no way out of it—no easy way. There is no free lunch. Nothing comes from nothing. Somebody pays.

To get this debt under control, we have to manage better than we ever have, in my opinion. I truly believe that, and we can do it. We can manage better. It is going to take leadership of the Chief Executive Officer of the United States, and Congress needs to be involved in the process too.

Federal Reserve Board Chairman Ben Bernanke, before the Senate Budget Committee earlier this year, testified this way:

> Having a large and increasing level of government debt relative to national income runs the risk of serious economic consequences. Over the longer term, the current trajectory of federal debt threatens to crowd out private capital formation and thus reduce productivity growth. . . .

It is growth we need. It is growth we need that will make America more competitive, that will produce more widgets for less cost, that will allow us to export and be competitive, to defeat importers by producing products better and at less cost than the importers can. That is within our grasp. But we are getting away from that and debt is a threat to us.

Chairman Bernanke goes on to say:

> To the extent that increasing debt is financed by borrowing from abroad, a growing share of our future income would be devoted to interest payments on foreign-held federal debt. High levels of debt also impair the ability of policy makers to respond effectively to future economic shocks and adverse events.

Adverse events occur periodically, and high levels of debt impairing our ability to react to those make us more vulnerable to serious economic dislocations that would occur in the future.

But Mr. Bernanke also knows that on our current course, we will never make it to the years where our debt is three, four, five times the size of our economy.

He also stated about the CBO outlook:

> The CBO projections, by design, ignore the adverse effects that such high debt and deficits would likely have on the economy. But if government debt and deficits were actually to grow at the pace envisioned in this scenario, the economic and financial effects would be severe.

In other words, what he is saying is we are not going to get there. It is not going to happen because we will have a financial crisis before then, and we can see that.

We had the President's fiscal commission, Erskine Bowles and Alan Simpson, and they told us, ''We are facing the most predictable financial crisis in our Nation's history.'' Both of them signed a statement to the Budget Committee just last year to that effect, and they said we could have an economic crisis in as little as 2 years.

We have not had a budget in the Senate. The Republican House has produced a budget, but the Senate Democrats have determinatively refused to bring up a budget in committee or bring one on the floor. We are now 3 years without a budget, while we have had trips to Las Vegas and conferences and tax credit loopholes for children of illegal aliens. Children who don't even live in the United States are getting a $1,000 tax credit from Uncle Sam and we can't get that fixed. That seems to be too hard to do, costing $4 billion a year.

So these are the kinds of things Americans need to be aware of and need to be focused on. If we do so, there are a number of options that would allow us to get the country on a sound path. We can do some things without debt, such as tax simplification that creates more growth, such as eliminating every regulation that does not serve the national interest and benefit the economy but adds cost to our productive capability in America and delays production of energy or delays construction of factories and businesses—eliminate those regulations that don't make sense. We can work hard to produce more American energy, keeping our wealth at home. We can reduce the amount of debt we are running up so we are sending fewer dollars, fewer billions of dollars, abroad every year after year after year just to pay the interest on the debt.

There are a lot of things we can do that will create jobs and growth and productivity gains in America that will not add to our debt, and we have to find those things. We have to tighten our belt across the board, in Congress and the White House and down to every agency and department and government entity that exists in this country and around the world. If everybody does that, we will surprise ourselves with how much progress we can make. I think it is not too late for us to reverse the course.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:45 p.m., adjourned until Thursday, June 7, 2012, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 6, 2012:

THE JUDICIARY

JEFFREY J. HELMICK, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.