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No. 118

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Our Father God, author of liberty, who has made and preserved us as a nation, bless today our lawmakers who are called to serve the Republic by bringing order out of chaos and peace out of strife. May they lift the shield of their integrity against the enemies of justice and truth at this time when the world's hopes depend on character. Lord, guide them with Your providence until this Nation shall gleam undimmed by tears of want and woe. Make our lawmakers worthy of the sacrifices of those who, day by day, give their all to keep us free. Help them to forgive and forget any memories of strained relationships or debilitating differences.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will resume consideration of the Agriculture appropriations bill. There will be no rollcall votes during today's session. However, the two managers, Senator KOHL and Senator BROWNBACK, will inform all Members that they will accept amendments, and people who have amendments should be ready to offer them today or on Monday.

MEASURE PLACED ON THE CALENDAR—S. 1552

Mr. REID. Mr. President, S. 1552 is at the desk and it is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1552) to reauthorize the DC opportunity scholarship program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

Mr. REID. Mr. President, I have a cloture motion at the desk, but before

it is read, we need to have the bill reported.

RESERVATION OF LEADER TIME

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2997, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Kohl/Brownback amendment No. 1908, in the nature of a substitute.

Kohl (for Tester) amendment No. 2230 (to amendment No. 1908), to clarify a provision relating to funding for a National Animal Identification Program.

CLOTURE MOTION

Mr. REID. Mr. President, I would now ask that the cloture motion which is at the desk on the substitute amendment be stated.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 1908 to H.R. 2997, the Agriculture Appropriations Act for Fiscal Year 2010.

John D. Rockefeller, IV, Tom Udall,
Mark L. Pryor, Edward E. Kaufman,

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



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Blanche L. Lincoln, Kent Conrad, Kay R. Hagan, Mark Begich, Byron L. Dorgan, Max Baucus, Ben Nelson, Herb Kohl, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Charles E. Schumer.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk on the bill itself.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 2997, the Agriculture Appropriations Act for Fiscal Year 2010.

John D. Rockefeller, IV, Tom Udall, Mark L. Pryor, Edward E. Kaufman, Blanche L. Lincoln, Kent Conrad, Kay R. Hagan, Mark Begich, Byron L. Dorgan, Max Baucus, Ben Nelson, Herb Kohl, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Jon Tester, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the substitute amendment occur at 5:30 p.m. on Monday, August 3; that if cloture is invoked, postcloture time be considered to have begun as if cloture had been invoked at 11 a.m.; further, that the mandatory quorums required be waived, and that first-degree amendments be filed at the desk by 3:30 p.m. on Monday.

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

The Senator from Wisconsin.

Mr. KOHL. Mr. President, as we wait for Members to come forward with amendments, I wish to talk about something that is happening down at the USDA right now. This morning, Secretary Vilsack is announcing changes to the Dairy Product Price Support Program. I wish to commend him for his diligence and his willingness to keep pushing on this.

Wisconsin is home to more dairy farms than any other State in the Union. We produce 2.1 billion pounds of milk each month. About half the State's \$51 billion agriculture economy is directly tied to dairy. So when the dairy sector hurts, Wisconsin hurts. And I will say in no uncertain terms that the pain in dairy across America is very acute right now.

From January through April, the price of milk paid to dairy farmers has been about \$4.80 per hundredweight below the cost of production. Dairy producers have lost \$3.9 billion in equity in 5 months. At risk is the long-term stability of the industry, the Nation's milk production infrastructure, and thousands of rural communities.

With Senator LEAHY and a number of our colleagues, we have pushed to confront these challenges. In the last farm bill, we extended the basic safety net

for dairy producers, and we strengthened it with something called a "feed cost adjuster." In the economic recovery bill we added credit to help producers survive.

At the same time, the Secretary has worked to boost exports and provide more dairy products for nutrition programs. All of these are critical steps. Together they reflect, literally, a billion-dollar effort to address a crisis that has hurt dairy producers in every corner of the country.

But over the past several weeks, in hearings and letters—and personal consultations I have been a part of—there is a growing appreciation that more needs to be done. Today the Secretary is taking the next step. For August through October, he is adjusting the Dairy Product Price Support Program in a way that will yield an estimated \$243 million in revenue increases for dairy producers.

I commend our Secretary of Agriculture for working with intensity and persistence. I commend our President for appointing a Secretary of Agriculture who works with intensity and persistence. And I want to reassure dairy farmers all across America that, although we do not have all the answers, we are committed to pressing forward on their behalf.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I urge my colleagues, particularly on my side of the aisle, to get their amendments and bring them forward, bring them forward this morning. It would be my hope we could get this bill done on Monday, early evening, so we can move to the Sotomayor discussion and debate on the floor. I think most Members want to speak about Sotomayor, so it is going to take a lot of time next week, being the last week before we go on break. I hope we could start that as fast as possible and we could move through this bill expeditiously.

We worked very closely with the majority. I think we have a good bill. It certainly is not perfect; no bill is. But it is one for which we have done a lot of work, and I do not see the issues outstanding here to the degree that I think it would merit us putting off the discussion and debate on Sotomayor. So I am hopeful we can get those amendments coming forward.

AMENDMENT NO. 2229 TO AMENDMENT NO. 1908

Mr. President, I have discussed with the majority about bringing up an amendment to deal with the issue of neglected and rare diseases. The FDA funding is in this bill, and we have negotiated an amendment with the proper authorizing committee. So with that, I ask unanimous consent to set aside the pending amendment, to call up amendment No. 2229, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2229 to amendment No. 1908.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish within the Food and Drug Administration 2 review groups to recommend solutions for the prevention, diagnosis, and treatment of rare diseases and neglected diseases of the developing world)

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of rare diseases: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of rare diseases, including specific expertise in developing or carrying out clinical trials.

(b) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of neglected diseases of the developing world: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of neglected diseases of the developing world, including specific expertise in developing or carrying out clinical trials: *Provided further*, That for the purposes of this section the term "neglected disease of the developing world" means a tropical disease, as defined in section 524(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n(a)(3)).

(c) The Commissioner of Food and Drugs shall—

(1) submit, not later than 1 year after the date of the enactment of this Act, a report to Congress that describes both the findings and recommendations made by the review groups under subsections (a) and (b);

(2) issue, not later than 180 days after submission of the report to Congress under paragraph (1), guidance based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world; and

(3) develop, not later than 180 days after submission of the report to Congress under paragraph (1), internal review standards based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world.

Mr. BROWNBACK. Mr. President and colleagues, this amendment goes at a critical problem in the world and one

we hold the key to answering. There is a lot of work that needs to be done on disease treatment and drug development. Unfortunately, what we have seen taking place is that the cost of developing a pharmaceutical product to treat particular diseases continues to go up and up and up into, in some cases, billions of dollars to develop a particular drug for a treatment for individuals.

When you are looking at disease categories, now that we are getting into finer and finer groups, you may have a group of, say, 50,000 people who have a particular disease, or for a neglected disease that is in a Third World country, you can have millions, even more than that, who are affected by a disease, but there is not a large marketplace to support the research that is necessary to develop a cure.

What we have put forward in this amendment is a review process to try to establish a new system for neglected and rare diseases so that drug delivery can proceed, and it can proceed on an expedited basis and reduce the cost of doing it, so we can start to develop drug treatments for rare diseases and neglected diseases that happen in poorer parts of the world where the economy does not support that level of research.

The amendment establishes two review groups within the Food and Drug Administration that would recommend solutions for the prevention, diagnosis, and treatment of both rare diseases and neglected diseases of the developing world.

According to the World Health Organization, more than 1 billion people—nearly one of every six people worldwide—are affected by at least one neglected disease. We have a billion people who are in this category of having a disease for which there is little to no research being done.

Examples of well-known neglected diseases include malaria, tuberculosis, and cholera. Africa certainly bears the brunt of this, as nearly 90 percent of the world's neglected diseases afflict people in this continent.

While this is the target category, it is my hope that what this will lead to is us developing systems and ways where we can reduce the cost and the time for drug delivery and development so we can use that in this country. We can use that on rare diseases where you do not have the population pool to support as much of the research.

Neglected diseases claim roughly 500,000 lives each year. They disproportionately affect very low-income populations in developing countries. Unfortunately, less than 1 percent of the roughly 1,400 drugs registered between 1975 and 1999 treated such diseases—1 percent of them.

Streamlining the FDA review process to treat these diseases is not only in our country's national interest, but it is consistent with our longstanding tradition of caring for those who are less fortunate around the world.

I might point out that as to the public opinion standing of the United States, the continent where we have the highest public opinion standing of the population is not even North America, it is Africa, where we are helping people with the PEPFAR program, with malaria, with food, and people like you if you are helping them stay alive. This continues in that, so it is good foreign policy as well and also helps us in drug delivery and development for our rare diseases.

This amendment also addresses rare diseases or those diseases for which little market exists since so few patients are affected. If this happens to be a person in your family, you do not care how many people are affected, you are affected, and you want somebody to be developing cures for it. Rare diseases can be especially lethal since few treatments may exist for individual patients and time is not on their side.

For these reasons, I strongly urge my colleagues to support this amendment No. 2229, which would allow experts to identify ways we can improve the Food and Drug Administration's ability to review treatments for rare and neglected diseases.

We worked carefully on this proposal with a number of individuals, including Dr. Francis Collins, who is nominated to be the head of NIH and who had the Human Genome Project, one of the great scientific breakthroughs of the last 25 years; as well as with former FDA officials and a number of people interested and concerned about what is taking place here; about the expanded cost of developing drugs and the smaller economic category that they have to hit in. I think this is in the best traditions of the United States and is very helpful to us as a country to address.

I and my colleagues have traveled to some of the Third World areas. We know malaria hits 60 percent of the children in Sub-Saharan Africa—60 percent. Tuberculosis as well is rampant. We have other diseases that we haven't thought of here for a long time—sleeping sickness, river blindness—that affect a large cross-section of individuals with little to no effort going into it. To the degree we can help will be a massive good that we do. It is my fundamental belief that we are blessed to be a blessing, and this country has been blessed. We certainly have our difficulties; no question about that, but here is an area where we can help and it helps us too.

I hope my colleagues will see fit to support this amendment. I will ask at the proper time that it be supported and that we vote on it.

I yield the floor.

Mr. KOHL. Mr. President, as we said before this morning, we intend to complete action on this bill Monday. We are here today to work with Senators if they have amendments. We need to move this bill along so we can complete all our work as we know we wish to do before the August recess. So if any Senators have amendments to the

bill, they should come to the floor so they can be offered, debated, and considered.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWNBACK. Mr. President, while we are waiting on Members to come and present their amendments, I want to talk about something associated with agriculture in my State. It is an issue that will probably come up after the August break, and that is energy legislation. Energy, in our State, is inextricably linked to agriculture, where it is a big energy-using industry but also one that derives a lot of income for agriculture.

The industry itself moved from a food and fiber industry to a food, fiber, and fuels industry, with ethanol and biodiesel and increasingly—this is a bit of a sidebar but a connection—wind energy. Wind energy, in many of the rural areas of our State, is providing income to those regions.

I want to talk about the energy policy of this country, particularly as it is associated with agriculture. We need to look at the agricultural industry and what it can produce for a domestic fuel need. I am hopeful we can, over time, up the ethanol standard from 10 percent to a higher mixed blend. I would like to see us get to 15, 20 percent in the current vehicle fleet. I think this is doable and the technology is there and it is not harmful to anybody or any of the automobiles in the automobile industry.

A number of us signed a letter asking that fuel blend be upped and also that the refineries be held harmless in any up mixture of blending that might be considered. A number of refineries are sensitive about the MTBE problem, when they were pushed by Congress to put in MTBE, and later were held responsible for difficulties associated with that. I think we ought to hold the refinery industry harmless but allow the mixture to go up from 10 percent.

In my State, a number of ethanol plants have been built. They are cost effective and they continue to operate well. It is a dual-commodity business, where we are looking at the commodity price of oil and the commodity price of corn. We can do very well financially, but if they move against us, we can do poorly. We have the capacity to move the blend up to the 15 or 20 percent level.

It is my hope that down the road that will be something of consideration. That has been a big piece of the agricultural policy in this country—something that has been supported in the Agriculture appropriations bill, to increase research on ethanol and make

the next generation out of cellulose or make everything a cellulosic stream, along with a grain stream of ethanol in the same ethanol plant, so we can mix those methods of making ethanol. That is an important endeavor that we can do.

On the Energy bill, there is a renewable energy standard put in it and not the cap-and-trade bill. I urge my colleagues, let's work on renewable energy where we can get good, strong bipartisan support and not a cap-and-trade system where it is going to hurt a number of States that are high energy using and producing States—particularly like my own State or others in the Midwest that are very dependent upon energy. This is a major tax on us. It taxes our electrical production that is coal based. Our State is in the 60 to 70 percent electric production. If we are taxing that, we are taxing people's utility bills. If we go with a renewable energy standard, we can seed and develop the growth of the wind energy business throughout a lot of the country, or biomass, which is helpful to agriculture, and not raise utility rates and not do it by taxing and regulating but, rather, by innovation and investment.

Earlier this week, I met with a number of people from the wind energy business, and they were saying we have had a good run, but it is not going very well now with this economy and without a renewable energy standard. The one we put forward in the Energy Committee has a 15-percent renewable energy standard; 4 percent of that can be met by conservation and 11 percent by renewable production, biomass, wind, and even things such as algae biofuel production, which is very much in the experimental stage, but it is a developing technology.

If we can consider that and do the renewable energy standard portfolio, separate and distinct, and not blend it with cap and trade, I think we can come forward with a good, bipartisan bill that moves us forward off of our energy reliance on foreign fuels and into a cleaner environment. The tax and regulatory structure of a cap-and-trade system would be very harmful on a State such as mine.

Senator BINGAMAN chairs the Energy Committee. He did a markup over a period of 4 weeks that was one of the most impressive markups I have seen, where he worked with everybody to get this bill together on a renewable energy standard. We came out with a bipartisan energy bill on a renewable energy standard. Not everybody got what they wanted; nobody ever does, but it was bipartisan, and it wasn't a cap-and-trade bill, which really sends the bells off for a lot of high energy using States. That is doable, and it is what we ought to do rather than what the House did on cap-and-trade legislation, which passed by the thinnest of margins.

It was basically done completely on Democratic votes, without Republican

votes; whereas, the renewable energy standard we passed had a mixture of Republican and Democratic votes and even some Democrats voted against the bill in committee. It is a bipartisan process and one that we can move forward with—not to mention other things.

I just met with a refinery group doing petroleum products—pavement and other things—in the United States. They look to get hit with cap-and-trade legislation—to the point they will be driven out of business. But we are still going to need asphalt in this country.

They are saying: Do you know where it is going to come from? It will come from China and India; they will make the asphalt. Big plants are being planned and built there in anticipation that we will do cap-and-trade legislation and they won't. Their CO₂ emissions are not counted and ours will be and they will sell us the product. That completely defeats the purpose of any type of CO₂ mitigation—just driving the industry overseas. It is going to be more polluting there than here, and the CO₂ emissions that go into the atmosphere affect everybody. It is a bad idea for us to cause that to happen in our own legislation.

Industries are planning on doing that now, just building and moving the industries to China and importing the products back to the United States. That hurts us. That hurts our people, our job formation, and it doesn't help the environment. We have another way. We have a way, through this renewable energy standard, that can actually work.

I ask, as we consider the Agriculture bill and others, that we keep an eye on energy because it is one of the key cost drivers within the industry. It is also one of the key possibilities for us to grow it in the future and grow it for our country. That is why we put some provisions in this Agriculture appropriations bill that are supporting the energy industry in agriculture. But personally—and I know others have different opinions on this—I ask that we don't then hurt it with legislation later on that is not complementary toward it.

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

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

The legislative clerk proceeded to call the roll.

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

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

DR. ROBERT KELEHER

Mr. BROWNBACK. Mr. President, while we have time waiting to clear some amendments, I am also ranking member on the Joint Economic Committee. Today is the last day serving on that committee staff of Dr. Robert Keleher. I rise to recognize him briefly.

He is retiring after many years of valuable service in the Congress. Congressman Jim Saxton, when he was chairman, persuaded Bob to join the committee staff back in 1996, as chief macroeconomist after an already distinguished career. Bob's insightful mind, high standard, and extensive knowledge of economics made him a critical component of the staff for many years.

Before joining the committee staff, Bob's career, including serving as the senior macroeconomist of President Reagan's Council of Economic Advisers in 1985 and 1986, The head of Macro and International Economics at the Federal Reserve Bank of Atlanta, and as a special monetary and economic adviser to the Federal Reserve Board of Governors Vice Chairman Manuel Johnson. I think under anybody's standard, that is a very successful career as an economist.

Bob's contribution to the committee was broad based and valuable. In particular, his early and prolific work on the issue of inflation targeting represents almost the entire body of congressional analysis in this area from 1997 to 2006.

During his career, Bob also conducted research applying the classical principles of economics to tax policy. His research emphasized the important effects that marginal tax rates have on economic behavior, in particular the positive effects that reducing personal marginal rates have on creating incentives for healthy economic growth. We would be wise to take Bob's research findings to heart.

Yet a person's work career is not the only thing that defines him. Bob's work was first rate, relevant, and valuable to members of the committee. But Bob's character as a man, his judgment, and integrity only add to the reasons he will be missed.

Mr. President, I know my colleagues on the committee, from both the Senate and the House, join me in extending a heartfelt thanks to Bob for his years of service and in congratulating him upon his retirement.

Thank you, Bob. We wish you and your family the best. You have earned it. Godspeed.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 2234, 2225, AND 2226 TO
AMENDMENT NO. 1908

Mr. KOHL. Mr. President, I ask unanimous consent to set aside the pending amendment to call up the following amendments which are at the desk: Leahy No. 2234, Murray No. 2225, and Bill Nelson of Florida No. 2226.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. KOHL] proposes amendments en bloc numbered 2234, 2225, and 2226 to amendment No. 1908.

Mr. KOHL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2234

(Purpose: To provide funding for the Office of Inspector General to conduct inspections of the national organic program)

On page 8, line 2, before the period, insert the following: “: *Provided*, That of the amount made available for the Office of Inspector General to conduct investigations such sums as are necessary shall be made available for the inspection of the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)”.

AMENDMENT NO. 2225

(Purpose: To allow State and local governments to participate in the conservation reserve program)

On page 85, between lines 16 and 17, insert the following:

SEC. 7. Section 1001(f)(6)(A) of the Food Security Act of 1985 (7 U.S.C. 1308(f)(6)(A)) is amended by inserting “(other than the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of this Act)” before the period at the end.

AMENDMENT NO. 2226

(Purpose: To prohibit funds made available under this Act from being used to enforce a travel or conference policy that prohibits an event from being held in a location based on a perception that the location is a resort or vacation destination)

On page 85, between lines 16 and 17, insert the following:

SEC. 745. No agency or department of the United States may use funds made available under this Act to enforce a travel or conference policy that prohibits an event from being held in a certain location based on a perception that the location is a resort or vacation destination.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2234

Mr. KOHL. Mr. President, the Leahy amendment No. 2234 has been approved on both sides, and I urge its adoption.

The ACTING PRESIDENT pro tempore. Is there further debate on the amendment?

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

The amendment (No. 2234) was agreed to.

Mr. KOHL. Mr. President, I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BOVINE TUBERCULOSIS

Ms. KLOBUCHAR. Mr. President, I seek to clarify with the chairman an effort across two States to address the growing issue of bovine tuberculosis.

I have asked the subcommittee to provide funds for a joint effort between the University of Minnesota and Michigan State University in support of research to prevent the spread of bovine tuberculosis and ultimately eradicate the disease from cattle, deer, and other wildlife. My colleagues from Michigan and I understand the negative economic impacts bovine tuberculosis impose on our States’ agricultural industries. In fact, agriculture is the second largest industry in both States, and this research is key to protecting our economies.

However, it is my understanding that this research effort may have been mistakenly associated with Michigan’s ongoing eradication efforts.

Mr. KOHL. I thank the Senator from Minnesota for bringing to my attention this issue. I understand the importance of the joint research effort on bovine tuberculosis taking place at the University of Minnesota and Michigan State University.

I will work with Senator KLOBUCHAR to ensure that the bovine tuberculosis joint university research program is addressed as the fiscal year 2010 Agriculture appropriations bill moves through the legislative process.

Ms. KLOBUCHAR. Mr. President, I congratulate the chairman for crafting a strong fiscal year 2010 Agriculture appropriations bill and thank him for his efforts to assist me on this important initiative.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD, the Budget Committee’s official scoring of S. 1406, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides \$23.1 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of \$17.7 billion. When outlays from prior-year budget authority are taken into account, non-emergency discretionary outlays for the bill will total \$24.9 billion.

The Senate-reported bill matches its section 302(b) allocation for budget authority and for outlays.

The bill is not subject to any budget points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

S. 1406, Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2010

[Spending comparisons—Senate-Reported Bill (in millions of dollars)]

General purpose

Senate-Reported Bill:	
Budget Authority	23,050
Outlays	24,886
Senate 302(b) Allocation:	
Budget Authority	23,050
Outlays	24,886
House-Passed Bill:	
Budget Authority	22,900
Outlays	24,686
President’s Request:	
Budget Authority	22,819
Outlays	24,743
Senate-Reported Bill Compared To:	
Senate 302(b) allocation:	
Budget Authority	—
Outlays	—
House-Passed Bill:	
Budget Authority	150
Outlays	200
President’s Request:	
Budget Authority	231
Outlays	143

Note: Table does not include 2010 outlays stemming from emergency budget authority provided in the 2009 Supplemental Appropriations Act (P. 1102).

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. KOHL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

HEALTH CARE REFORM

Mr. CASEY. Mr. President, I rise today to address a topic we have been debating for many weeks and months but especially the last couple of weeks, and that is health care. We have spent a good deal of time in Washington talking about the details of various provisions, the different ideas that have been introduced in bills and through the work of the committee.

I happen to be a member of the Health, Education, Labor, and Pensions Committee, known by the acronym “HELP.” In our committee, we