

talking about increasing taxes on small business and individuals, let's cut the payroll tax. Let's give employees a pay raise and employers a chance to hire new employees and buy equipment. Let's pass the free trade agreements with Colombia, with Panama, and South Korea. We know those agreements will create more jobs, especially in a State such as Florida. Why have they not been sent to the Congress for approval? My friends on the other side of the aisle like to talk about job creation, but none of the measures that is coming to the floor of this body, or very few, have anything to do with getting Americans back to work.

Today we are missing another opportunity as this body debates alleged campaign finance reform instead of caring about what the American people care about and that is creating jobs.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WOMEN'S EQUALITY

Mr. ENZI. Mr. President, one reason I am proud to be from the great State of Wyoming is that our State is the land of many firsts. We have the first national park, which is Yellowstone National Park. We have the first national monument, which is Devils Tower, and we have the first national forest, which is the Shoshone National Forest, just to name a very few.

But another huge milestone and important first for our State is that we were the first State to give women the right to vote. We are pioneers in more ways than one out West. That is how Wyoming got its nickname, the Equality State.

I rise to talk about an important anniversary that our country recently celebrated. August 26 was Women's Equality Day, marking the 90th anniversary of women gaining the right to vote. Of course, that is 50 years after Wyoming's special vote. We just celebrated 140 years since Louisa Swain became the first woman in the world to vote.

When the Wyoming territory was being considered to be a State, we were told to repeal women's right to vote. Our legislators said: No thanks. It is not worth that to be a State. Wyoming stood first and, of course, the rest of the country followed suit five decades later.

The ratification of the 19th amendment to our Constitution was a landmark in our need to recognize the voices of women and welcome their contributions to our country. Women have always offered a wealth of knowl-

edge and spirit, and the 19th amendment showed our commitment to continually fight for women's equality.

In Wyoming alone, we have been graced by women's accomplishments from past to present. Wyoming had the first female justice of the peace in the United States, Esther Hobart Morris. We had the first woman to head up the mint. In fact, she is one of the few female statues displayed in the U.S. Capitol today. Wyoming also welcomed the first woman to serve as Governor of a U.S. State, Nellie Tayloe Ross.

Today, we are continually impacted and influenced by strong women in our State. I am honored to serve in Wyoming's congressional delegation alongside U.S. Representative Cynthia Lummis, who took the reins from her predecessor, Barbara Cubin, and has been a remarkable leader for Wyoming. She has served Wyoming in a variety of roles, as a lawyer, a rancher, a legislator, and State treasurer, now U.S. Representative. Now in her role in the House, she continues to do an outstanding job serving her constituents and fighting for their interests in Congress.

It is clear there is no shortage of women looking to stand and make a difference in this country. I am optimistic that we are continuing down a path that looks out for women's best interests and seeks to provide them with more and more venues to have their voices heard and resources known.

Women serve as a pillar of strength in our country. I am proud to recognize the 140th year of Wyoming women voting, and this 90th anniversary of women in the rest of the United States gaining the right to vote and look forward to continually welcoming their contributions and achievements.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I understand we are in morning business to speak for up to 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

DISCLOSE ACT

Ms. LANDRIEU. Mr. President, I have come to the floor to speak, as many of my colleagues have today, on the DISCLOSE Act, which is being sponsored by Senator SCHUMER, primarily, and other Members of the Senate, to try to fix and make significant adjustments to an area of law that is very important to many Americans and actually is at the basis of the operation of our democracy.

Many of my colleagues have come to the floor to express their concern about the importance of fixing this, and the DISCLOSE Act is how many of us intend to try to get something fixed that needs to be fixed. No matter if you are a Democrat or Republican, conservative or liberal, or if you are a progres-

sive or a centrist, I think you think it is right to be honest. I think that is a principle everybody can agree to, to be honest and to be forthright and to be truthful and to have been aboveboard.

The problem, as you know, with the outcome of the Court case has to do with the way we run our elections. If we do not fix this, we are going to be in a situation in this democracy where people can spend unlimited amounts of money in a secret way. That is the problem. It is not that corporations can do it or labor unions can do it or conservatives or liberals, it is that it can be done at all in secret.

I do not think Americans want this. I know the people I represent do not want this. They want to have an honest debate. They want to have an open debate. They want people to stand and say: Hi. My name is Joe. My name is Jane. This is my position. This is my position. Debate it. Then people can vote. The problem, if we do not fix this Court case, is that you will never know who is saying what, and that is not right.

That is akin to walking out into the school yard and getting hit from behind and you do not even know who hit you and no one will tell you. How can you fight someone you do not know? How can you participate in something like that? So this loophole has to be closed. I think, and most people in my State believe, that elections should be open, should be honest, should be transparent. Corporations can participate, labor unions can participate, big companies, small businesses. But you do need to disclose who you are in a report.

I have an article from the Washington Post. I wanted to have it blown up, but we had difficulty. I will try to explain it, and I will hold it up so maybe the cameras can see it. This says in the last cycle in 2008, 117 entities reported donations, and there were 372 that didn't. That ratio is about one-third reported, and the other two-thirds did not. The trend is going in the wrong direction. More people are participating but not saying who they are so nobody knows. The report for this year, 2010, is already a ratio of 1 to 6. So we are not even into the end of this election cycle. We are getting close to it. The ratio is 15 have been reporting, 85 haven't, which means about only 1 in 6. It is all becoming secret.

I don't think that is right for our people. I think our people should know who is saying what, what money is behind what ad so it helps them understand better the arguments and why they might be seeing such ads.

I have a real problem, and I will give an example. The Presiding Officer may have this problem in Minnesota. We have a big problem in Louisiana and Florida with Chinese drywall. This product came in from China, and it is rotten. When people put it in their house, they get sick. Their kids get sick. Their copper piping starts rotting. It is horrible. Our people had

their homes flooded, and we had to gut their homes. We didn't have enough drywall in the United States so we started needing it so much, it came from lots of other places. Some of it is really bad.

So a couple of us have a bill that says: Don't send us any more rotten Chinese drywall. We are going to try to pass that bill.

I think my constituents would like to know, if they see an ad on television saying how great drywall is, these ads that say this is a fabulous product, tell Senator LANDRIEU to support this product, I think my constituents would like to know if that is actually the Chinese drywall company that is behind that product telling them not to vote for me because I am trying to protect them from this company. That is one example, but I could give 100 examples. I am not saying the Chinese drywall company that sent us rotten drywall should not advertise, although I don't think foreign companies should be advertising in elections in America. But let's say it was an American company that sent us this bad drywall. If they want to argue against a bill, fine. But at least let people know that is what they are doing. If it is a labor union advocating for something, let people know.

That is why I support the Schumer bill. That is why I support the DISCLOSE Act. That is why I think most people in Louisiana support it. They might make up their minds, but they would like to know who is paying for the ad. That is all this bill does.

I know there have been some friends from the other side who have come down and tried to convince the Senate that we don't have to tell people, that we should have all of our elections in secret. I think democracy is best served when people are educated, intelligent, and informed about all aspects. Let them make their own judgments. We live or die by that; we are either in office or we are not.

I wished to express my support. I hope we vote on it tomorrow. I wish we could get 60 votes in the Senate. It is mind numbing to me and mind boggling that we couldn't have a handful of Republicans stand and say they too believe we should have honest and open elections. It is not about corporate money or union money. It is not about trying to block corporate money or increase union money or block union money and increase corporate money. It is just about disclosing the money from wherever it comes and having reasonable limits that are fair to everyone. I don't think that is too much to ask. That is basically all this bill does.

I support cloture and ending the debate on something we don't have to take that long to understand. It is pretty clear. One is either for transparency or not, for disclosure or not, and we fought fairly for everyone.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. RISCH. 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.

(The remarks of Mr. RISCH pertaining to the introduction of S. 3825 are printed in today's RECORD under "State-ments on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. 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. SHAHEEN. Mr. President, when I was home in New Hampshire over the recess, I had the opportunity, as I am sure the Presiding Officer did, to see all of the television ads that are being run by various candidates and special interest groups. Already—again, I am sure this is true in Minnesota and it is true across the country—because of the Citizens United decision by the Supreme Court, a decision many of my colleagues talked about earlier today, the airwaves in New Hampshire were flooded with ads from essentially anonymous, unaccountable special interests. I think the question we all should ask and certainly voters across this country should ask is, Who is really paying for these ads? Voters don't know. Sure, the ads give the special interest groups great mom-and-pop, apple pie-sounding names, but voters today have no way of knowing who is funding these groups and who is really putting up the money for these ads.

Personally, I think there is too much money being spent on elections these days. During the 1990s when I first ran for election in New Hampshire for the State senate and then for Governor, in New Hampshire we had a voluntary spending cap law. I think the law worked extremely well in limiting the amount of money candidates could raise and spend. Under our State law, a candidate who didn't want to voluntarily limit campaign spending had to obtain a certain number of signatures from voters or pay a higher fee to get on the ballot. And when that law was in effect, almost every candidate chose to abide by the voluntary spending limit. That had two very positive effects. First, candidates could spend less time raising money and more time talking to voters about the issues they faced. Second, a candidate needed to rely more on volunteers to help get their message out because they didn't have as much money to spend on ads and staff. You also became very efficient at how you spent your money—

something that I think is helpful when you get into elective office. Now, unfortunately, New Hampshire's voluntary spending cap law was struck down in a decision very similar to the Citizens United Supreme Court decision.

When I look back at my three campaigns for the State senate in New Hampshire, I spent about \$20,000 each time. Fast forward to today and the impacts of repealing that law by the Supreme Court in New Hampshire, and today candidates routinely raise and spend about five times that much. In my campaigns for Governor, I raised and spent about \$1.25 million to \$1.5 million based on what the campaign spending law was that year. Today, in New Hampshire, serious candidates for Governor raise and spend several times that amount.

Now, because of the Citizens United decision, we can no longer limit the amount of spending by special interests on Federal elections. But what we can still do and what we should do is require these anonymous groups to disclose who is funding their ads. That is exactly what the DISCLOSE Act does. It also prohibits foreign corporations from spending money to influence American elections.

I think unlimited election spending by anonymous groups and potentially foreign corporations poses a real threat to our democracy. This should be a bipartisan issue. For years, it was.

As the Presiding Officer knows, because I have heard him talk about this, back in 1997 the minority leader said—this is back in 1997, so over 10 years ago—that “public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.”

Then just this spring, even after the Citizens United decision, Senator CORNYN, the Senator who is leading the Republicans' election efforts, told the Wall Street Journal:

I think the system needs more transparency so people can more easily reach their own conclusions.

I agree completely. If all the Senators who are on public record supporting disclosure of campaign contributions voted in support of the DISCLOSE Act, we would pass the DISCLOSE Act today by a wide bipartisan margin.

I hope, as our colleagues on the other side of the aisle think about the DISCLOSE Act and about what is happening to manipulate our elections in this country, that they will join me—and all of us who believe that the best way to make sure that our democracy remains strong and that we address how money is being spent in elections—in supporting the transparency and the accountability that is available to voters in the DISCLOSE Act.

Thank you very much, Mr. President. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST— S. 510

Mr. REID. Mr. President, America has one of the safest and most abundant food supplies in the world, but it is not perfect. Foodborne illnesses sicken one in every four people every year. Twenty-five percent of people get sick from foodborne illnesses every year. As many as 5,000 Americans die from food poisoning every year.

The bill we are attempting to bring to the floor today is a very simple bill. It will make our food safer. It is a bipartisan bill that was reported out unanimously from the HELP Committee, and there have been negotiations going on for a long time—months and months.

People often think of food poisoning as an upset stomach that goes away in a few hours or maybe a day or two. Sometimes that is all it is, but sometimes it is much worse. I have met with families from Nevada who have been seriously sickened by food they have eaten, people who have been hospitalized for weeks and months and a number of whom came very close to dying. In some of these cases, they will deal with the results of their food poisoning for the rest of their lives.

One of the little girls I met with is named Rylee Gustafson. She is from Henderson, NV. This little girl, when she was 9 years old, was doing what her mom asked her to do: eat her salad. The salad had spinach in it. E. coli was in there with the spinach. She got so very sick. I have seen her on a number of occasions. She is a beautiful child, but she is going to be small all of her life because of that illness. She was hospitalized for a long, long time and survived. Three others got E. coli from fresh spinach, and they died. She didn't.

I also had the opportunity to meet with the Rivera family in Las Vegas. Linda Rivera also became sick from E. coli from cookie dough. Last October, she was in a coma and on life support, and doctors didn't know if she would survive, but she did. She is still recovering. The effects will be with her for the rest of her life. It is food poisoning. It will be a long road back to full health for Linda. We hope she arrives to that.

Last month, there was another big recall. This time, it was eggs contaminated with salmonella. More than 2,000 people have been sickened during this outbreak.

The egg recall and stories such as Rylee's and Linda's and their families and what they went through illustrate the need for food safety legislation. People in Nevada and across the coun-

try are asking for this legislation. They want to know what food they can put on the family's dinner table, what they can pack in their children's lunches, and is it safe.

There is no excuse to wait any longer. Our current food safety system hasn't been updated in almost a century. It is not keeping up with contaminants that cause these problems, and new ones come along all the time. The FDA doesn't have the authority or resources it needs to keep up with the modern advances and expansion in food processing, production, and marketing.

This bill will fix that. The bipartisan bill called the FDA Food Safety Modernization Act would improve the system while minimizing the regulatory burden.

It gives the FDA mandatory recall authority of contaminated foods, sets up a system to allow the FDA to keep track of foods so we can find out where the contaminated food came from and stop it quickly from getting to grocery stores. It strikes the right balance between assuring consumers that food is safe, without overburdening farmers with new regulations. It makes no changes to the current organic program run by the U.S. Department of Agriculture.

Nothing could be more important than using our time here in these waning days before the election to help our constituents. Nothing should be less controversial than keeping them out of harm's way. So let's move to this commonsense bill and pass it. That is why we are here—to do things to help the American people. This would do that.

I also add that the committee has worked very hard. They have negotiated and negotiated and negotiated. They had different versions. They kept moving forward, and finally it was all done. We thought we were going to be able to get this done. But it appears we have one person who doesn't want this bill to pass, and that is unfortunate.

Mr. President, I ask unanimous consent that at a time to be determined by me, following consultation with Senator McConnell, the Senate proceed to the consideration of Calendar No. 247, the FDA Food Safety Modernization Act, S. 510, and that when the bill is considered, it be under the following limitations: that general debate on the bill be limited to 2 hours, equally divided and controlled between Senators HARKIN and ENZI or their designees; that the only amendments in order, other than the committee-reported substitute, be those listed in this agreement, with debate on each of the listed amendments limited to 30 minutes, with the time equally divided and controlled in the usual form; further, that when any of the listed amendments are offered for consideration, the reading of the amendments be considered waived, and the amendments not be subject to division; Harkin-Enzi substitute amendment; Tester amendment regarding small farms and facilities; Harkin-Enzi amendment—I add edi-

torially that these are the chairman and ranking member of the committee, who are both extremely easy to work with and good legislators—

Harkin-Enzi amendment regarding technical and conforming, and that once offered, the technical amendment be considered and agreed to and the motion to reconsider be laid upon the table; Coburn amendment regarding offset for cost of bill; Feinstein amendment regarding BPA; Leahy amendment regarding criminal penalties; that upon disposition of the listed amendments, the use or yielding back of all time, the Harkin-Enzi substitute amendment, as amended, be agreed to; that the committee-reported substitute amendment, as amended, be agreed to; and that the bill, as amended, be read the third time and the Senate then proceed to vote on passage of the bill.

Before the Chair rules, I should have mentioned earlier in my remarks that the person who has been heard on this for months has been Senator DURBIN. This is something he believes in, as he can come to believe in things so intently. I respect the work he has done on this bill, keeping it always at the front of my attention list.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, reserving the right to object, and I will not object if the Senator changes the proposed agreement to say that the only amendments in order, other than the committee-reported substitute, will be these three: Harkin-Enzi substitute amendment, which is fully offset and has been agreed to by both managers, which will be agreed to as original text for the purpose of further amendment; the Harkin-Enzi technical amendment; and the Tester amendment in regard to small farms.

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

Mr. REID. It is my understanding that my good friend from Oklahoma would have no amendment.

Mr. COBURN. I would not need one because the bill would already be offset.

Mr. REID. What I say to my friend, I think this is something I would like to take a little time—not a lot of time—to talk to my friends, Senators DURBIN, HARKIN, and ENZI, and see if there is something we can do to move this down the ballfield; if not, we can come back again and talk about this.

In light of my friend's request to modify my unanimous consent request and my inability to intelligently respond to it because it is something I had not anticipated, I will be happy to withdraw my request, and I will renew it at a later time if I can come up with something that is more appropriate.

Mr. COBURN. I thank the leader.

I ask unanimous consent to be recognized for 15 minutes.

The PRESIDING OFFICER. The unanimous consent request is withdrawn.

The Senator from Oklahoma is recognized.