As I leave this body, one of the rites of passage is to sign your desk, and I just did that. I did it in pencil. I figure that all of us will fade with time and that signature will fade with time as well. But the things you remember are what you touched and that touched you and the souls that are touched. It is people who deal from the heart who are the ones who touch your life and the ones who touch your soul. I want to express my deep appreciation to my colleagues who have touched my heart. I hope I have been a positive statement to many of them.

The psalm that comes to mind is one that says: ''And his place knew him no more.''

The psalmist wrote: ''His place knew him no more.'' After a period of time you sign the desk, you move on, and then you look back and see the signatures in the desk and you don't recognize many of them. The place will know us no more. But the hearts that we touch, the hearts that touch ours, we will remember forever, and I certainly will.

I thank you and my colleagues in the Senate for letting me serve with you. It has been a great joy. It is a fabulous nation, the greatest Nation on the face of the Earth, and it was an honor to serve here.

God bless America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 1118, the nomination of Jack Lew to be Director of the Office of Management and Budget, and that the nomination be confirmed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

Jacob J. Lew, of New York, to be Director of the Office of Management and Budget.

Mr. REID. Mr. President, we have been working for several days—actually longer—trying to work things out on the situation involving the State of Louisiana. The State of Louisiana has struggled. They had the hurricane. The economic situation in Louisiana was going very well when the BP oilspill occurred. As a result, action taken by the administration, and other situations that developed, have hurt significantly the economic viability of the State of Louisiana.

The Senator from Louisiana has worked tirelessly to get the work going again in the shallow water off the coast of Louisiana. She will be able to speak on the record better than I can—and I have been in some of the negotiations—the progress she has made regarding that. Not only has the administration stepped forward but industries have stepped forward.

I ask unanimous consent that the Senator from Louisiana be recognized to make a statement on the matter regarding Jack Lew.

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

Ms. LANDRIEU. Mr. President, I thank the majority leader. His day has been much busier than mine, but both of our days have been filled with quite a few matters before us.

The vote that will take place in the Senate would not have taken place without my acquiescence. I thought it was important to speak briefly on my hold on Jack Lew.

Jack Lew is a terrific nominee, and he has the support of many people in this body for his new position, and we are grateful to him for wanting to be the budget director for a country that has serious economic challenges. We are very grateful.

As you know, we have extremely serious economic challenges right now in the Gulf of Mexico. It has been 5 years since Katrina. Three weeks later, we had Rita, and then Gustav and Ike—four of the toughest storms the gulf coast has faced. Then a few years later, we had an oilspill, with more than 5 million barrels of oil spilled in the gulf, which was bad enough. But then this administration placed a hold—or a moratorium, if you will—on an entire industry because of that accident. It was a horrible accident, but I think to place a moratorium on an entire industry because one company and its contractors made some serious and terrible mistakes is really unprecedented, it is unwise, and it is extremely harmful to the gulf coast.

I tried many things over the last several months to call attention to this matter. I called several hearings in Louisiana, several hearings here in Washington, and I sent several letters, set up several meetings, and nothing seemed to be getting through to this administration about the catastrophe they were causing along the gulf coast. So I put this hold on a nominee. It was, in many ways, unprecedented. I didn't know that when I did it. I was told later that it had never been done on a budget director. I figured it would get their attention, and I think it has.

I have had three meetings in the last 24 hours with the Secretary himself. We have talked through some of these issues in a way that I think we can make progress. In the last week, there have been two permits issued. I am told there will be additional permits issued in the next few days. The Secretary has also committed to me that he himself will be in the gulf coast—in Louisiana, actually—on Monday, expressing his commitment, and in no uncertain terms, to the future robustness of this industry.

Mr. President, this isn't just about Louisiana and the importance to Louisiana. I will submit this report for the RECORD, ''The Economic Impact of the Gulf of Mexico Offshore Oil and Natural Gas Industry and the Role of the Independents,'' released in July of 2010. I will read only one figure, but it is big enough that it should capture people's attention. People are looking for money in this Chamber to solve our budget issues and bring this budget into balance. One figure I will cite from this report is that the independents—not big oil—I am not talking about Chevron, Shell, or BP; I am talking about independent oil and gas operators that are sidelined because of this policy by the administration—independents will bring in more than $147 billion in Federal, State, and local revenue in the next 10 years. So the stakes are very high, which is why I took the action I did and why today I have released the hold, because notable progress has been made, permits have been issued, and the Secretary has committed, on Monday, to be in the State to give a path forward for this industry.

I am convinced that, at this moment, that was the right thing to do for the country and the gulf coast. But we have more progress that needs to be made. This industry is a valuable, critical, important industry to this Nation. It has been for over 100 years, and it will be for the next 100 years. We have to realize the importance of producing oil and gas here at home. Yes, it was a terrible accident. Yes, we need to have safety and rules and regulations that are in force. But there has to be a way to accomplish that without shutting down the entire industry and putting hundreds of thousands of jobs at risk. Again, this isn't about big oil specifically; it is about contractors and small businesses all along the gulf coast and throughout the United States.

I appreciate the Secretary's commitment, his renewed focus, and his understanding of the urgency of the situation. I thank my colleagues, many of whom were supportive of this action, as we have worked through these last 6 weeks. I appreciate the courtesy of the majority leader.

I ask unanimous consent to have printed in the RECORD ''How Big an Impact?'' from the study ''The Economic Impact of the Gulf of Mexico Offshore Oil and Natural Gas Industry and the Role of the Independents'' done by IHS Global Insight (USA), Inc., dated July 21, 2010.

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

HOW BIG AN IMPACT?

In this study, we analyze the economic contribution of the independents and potential loss as a result of policies that effectively prevent them from participating in future development in the offshore Gulf of Mexico and, in particular, in the deepwater. Our analysis for the 2009–20 forecast period indicates that the exclusion of the independents from the offshore GOM would mean:

The following lost jobs in the four-state Gulf region (Alabama, Louisiana, Mississippi, and Texas)—direct, indirect, and induced: 2009—202,502; 2015—289,716; 2020—300,974.

Additionally, 40,777 construction-related jobs would be lost in the four-state Gulf region during 2009–20. This activity includes construction of rigs, platforms, pipelines, and production facilities.

The following lost taxes and royalties to the federal government: 2009—$7.34 billion; 2015—$10.13 billion; 2020—9.98 billion.

The following lost state and local tax revenues in the four-state Gulf region: 2009—$3.18 billion; 2015—$4.59 billion; 2020—$4.68 billion.

Altogether, more than $147 billion in federal, state, and local revenues would be lost in a 10-year period if independents are excluded from the Gulf of Mexico. These estimates only include revenues collected from the four-state Gulf region.

Within the deepwater, the exclusion of the independents would mean:

The following lost jobs in the four-state Gulf region—direct, indirect, and induced: 2009—121,298; 2015—230,241; 2020 — 265,113.

The following lost taxes and royalties to the federal government: 2009—$3.64 billion; 2015—$726 billion; 2020—$8.33 billion.

The following lost state and local tax revenues in the four-state Gulf region: 2009—$1.63 billion; 2015—$3.35 billion; 2020—$3.94 billion.

Altogether, more than $106 billion in federal, state, and local revenues would be lost in a 10-year period if independents are excluded from the deepwater.

Overall, the exclusion of the independents would significantly shrink offshore oil and gas activity, reduce the dynamism of the industry, and dilute U.S. technological and industry leadership.

The reason for all these effects is that independents represent a much larger share of total activity than is generally recognized. Independent producers are an integral part of shelf, as well as deepwater, drilling and discovery.

Independents are the largest shareholder in 66% of the 7,521 leases in the entire Gulf of Mexico and in 81% of the producing leases.

In the deepwater portion of the Gulf of Mexico, independents are the largest shareholder in 52% of all leases and in 46% of the producing leases. They operate over half of the developing and producing deepwater fields.

Independents have drilled 1,298 wells in the deepwater, and they currently account for over 900,000 barrels a day of oil equivalent (oil and natural gas together).

Independents are responsible for an average of 70% of the ‘‘farm-ins’’: the partnerships formed following the original lease agreement that enable prospects to be drilled and oil and gas produced.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table; that any statements relating to the nomination be printed in the RECORD as if read; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Minnesota, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 9:34 p.m., recessed subject to the call of the Chair and reassembled at 9:56 p.m. when called to order by the Presiding Officer (Mr. FRANKEN).

FDA FOOD SAFETY MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senate will come to order.

The majority leader.

Mr. REID. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is considering S. 510.

Mr. REID. The food safety bill; is that right?

The PRESIDING OFFICER. That is correct.

COMMITTEE SUBSTITUTE WITHDRAWN

Mr. REID. I ask unanimous consent that the committee-reported substitute be withdrawn.

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

AMENDMENT NO. 4715

(Purpose: In the nature of a substitute)

Mr. REID. I now call up the Harkin substitute amendment which is at the desk and ask for that amendment to be considered read.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HARKIN, proposes an amendment numbered 4715.

(The amendment is printed in today's RECORD under ‘‘Text of Amendments.’’)

CLOTURE MOTIONS

Mr. REID. Mr. President, I have two cloture motions at the desk.

The PRESIDING OFFICER. The clerk will report the cloture motions.

The 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 Harkin substitute amendment No. 4715 to Calendar No. 247, S. 510, the FDA Food Safety Modernization Act.

Harry Reid, Patrick J. Leahy, Claire McCaskill, Tom Harkin, Carl Levin, Daniel K. Inouye, Richard J. Durbin, Byron L. Dorgan, Jack Reed, Jeff Bingaman, Mark Begich, Blanche L. Lincoln, Robert Menendez, Daniel K. Akaka, Sherrod Brown, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Barbara Boxer.

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 Calendar No. 247, S. 510, the FDA Food Safety Modernization Act.

Harry Reid, Patrick J. Leahy, Claire McCaskill, Tom Harkin, Carl Levin, Daniel K. Inouye, Richard J. Durbin, Byron L. Dorgan, Jack Reed, Jeff Bingaman, Mark Begich, Blanche L. Lincoln, Robert Menendez, Daniel K. Akaka, Sherrod Brown, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Barbara Boxer.

Mr. REID. I ask unanimous consent the cloture vote on the substitute amendment occur at 6 p.m. on Monday, November 29, and the mandatory quorum be waived.

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

Mr. REID. I ask unanimous consent that if cloture is invoked on the substitute, then all postcloture time be yielded back except for the time specified in this agreement; and that the only amendments or motions in order be those specified in this agreement, with debate limitations as specified:

Johanns motion to suspend with respect to amendment No. 4702; Baucus motion to suspend with respect to amendment No. 4713, with a total of 60 minutes of debate with respect to these two motions with the time equally divided and controlled between Senators Baucus and Johanns; Coburn motion to suspend with respect to amendment No. 4696—substitute; Coburn motion to suspend with respect to amendment No. 4697 dealing with earmarks; that there be a total of 4 hours of debate with respect to the Coburn motions, equally divided and controlled between Senators COBURN and INOUYE or their designees; that upon the use or yielding back of all time specified here, the Senate proceed to vote with respect to the motions to suspend in the order listed: Johanns 1099; Baucus 1099; Coburn earmarks; Coburn substitute; that upon disposition of the motions, and if any motion is successful, then the Senate vote immediately on the amendment; that no further motions or amendments be in order; the substitute amendment, as amended, if amended, be agreed to; the bill, as amended, be read a third time; that after the reading of the pay-go statement with respect to the bill, the Senate proceed to vote on passage of the bill; and that the cloture motion with respect to the bill be withdrawn.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed