

crammed together in small makeshift office space, other brave Federal employees put themselves in harm's way trying to contain the spread of the weaponized spores and to clean up the deadly bacteria.

It has been fashionable of late to criticize the Environmental Protection Agency, but I remind everyone that members of the EPA's region 3 led the emergency response efforts following the anthrax attacks. They were joined by a small army of other EPA emergency responders from around the country who responded to the call for extra personnel to manage the massive decontamination efforts.

The EPA's headquarter staffers were fully engaged as well. The EPA national pesticide program worked quickly to develop new methods necessary to wipe out the anthrax. Scientists worked primarily out of EPA's pesticide lab, which is located 20 miles away in Fort Meade, MD.

It was not just EPA employees who answered the call to duty. Capitol police were the first ones to respond, and they continued to provide protection to legislative branch employees as well as the emergency responders and the public.

The Department of Defense lent its expertise. As the cleanup progressed, thousands of tests were taken and then sent to Fort Detrick in Maryland where chemical weapons specialists analyzed samples and reported results to the emergency command center. Defense Department personnel were also engaged in the decontamination efforts, working side by side with EPA emergency responders.

The photos I brought to the floor today show some of the emergency responders wearing specialized protective gear, working on the decontamination of Senator Daschle's office. Each desk, chair, filing cabinet, and piece of paper in the office was removed. The last item to be removed from room 509 at the Hart Building was an American flag that hung in Senator Daschle's front office. Emergency responders are seen here folding the flag that was placed in a special sealed bag and sent off to be decontaminated. Countless employees at the Sergeant at Arms, the Architect of the Capitol, and Senate and House staffers continued the business of running our government and the legislature. It was critical that Congress continue to function, demonstrating to the Nation and the world that terrorist attacks could not cripple the institution of democracy.

Other Federal employees put themselves in harm's way during and after the anthrax attacks. These Federal employees worked hard to do what many thought impossible, putting public buildings back into use after a chemical attack. At great risk to themselves, they bravely met the challenges to ensure our government continued to function.

Today I honor the memory of Thomas L. Morris, Jr. and Joseph P.

Curseen, Jr. who gave their lives while engaged in public service. Today I salute those Federal employees who risked their own lives so that the legislative branch of the greatest government on Earth could continue, and those who continued to work every day in the face of grave danger and uncertainty. Today I simply want to give a heartfelt thank you to all of America's Federal employees. You recognize that public service is an honorable calling and you work every day to keep this Nation the great Nation it is.

With that, let me once again thank our Federal workforce and what they do for our country.

I 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. UDALL of Colorado. 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.

SKI AREA RECREATIONAL OPPORTUNITY ENHANCEMENT ACT

Mr. UDALL of Colorado. Madam President, I have come to the floor this morning to talk about the most important issue facing our country and our people; that is, jobs and job creation. In a bit of good news last night, overcoming 18 months of obstacles in the Senate, the Senate passed my Ski Area Recreational Opportunity Enhancement Act that will help expand economic opportunities in many of our mountain resort towns in Colorado. It will also help create jobs throughout the rest of the country in States such as the Presiding Officer's, New York, which has a robust ski industry, as our State does.

I wish to acknowledge Senators BARASSO of Wyoming and RISCH of Idaho. They have been tremendous partners in this effort, both in this Congress and in the last one. I thank them upfront for their leadership in pushing for passage of this important piece of bipartisan legislation.

Even though our economy is showing some signs of recovery, there is still a long way to go. This is especially true in rural communities that are dotted all over my State of Colorado. I know this question of job creation is on the forefront of the minds of all my colleagues. It is on the minds of Coloradans wherever I am in the Centennial State. So the action we took last night not only represents a major step forward in our efforts to create jobs, it is a reminder to the American people that we can work together on common-sense, job-creating legislation.

Let me speak a little bit about the bill we passed last night. It is narrowly tailored, it is pragmatic, it is bipartisan, it doesn't cost one dime to the American taxpayers, and it reduces

government regulation while allowing businesses to create more jobs. That is the direction we need to head. It gives greater flexibility to businesses to productively use public lands. It facilitates outdoor recreation, and it endorses responsible use of our natural resources.

Often, ski areas are located on National Forest lands through the use of permits issued by the Federal Government that spell out what activities are allowed. But under the existing law—although we are going to change the law given what we did last night—the National Forest Service limits ski area permits primarily to “Nordic and Alpine skiing.” This is the phrase used in Federal regulation. But the classification I mentioned doesn't reflect the full spectrum of snow sports or the use of ski areas for nonwinter activities. For example, the word “snowboarding” is not used in the law, even though we know snowboarding now exists in every single ski area across the country. So the problem with that regulation is it has created uncertainty for both the foresters and the skiers as to whether now other activities, particularly those in the summer, can occur in permitted areas. In effect, ski areas on National Forest lands are restricted to winter recreation as opposed to year-round recreation. One only has to imagine what will happen when we open ski areas to year-round recreation. We will create opportunities for businesses to expand and openings for new businesses to explore previously restricted ventures. Colorado ski resorts have told me they will be able to create more jobs this year when they are given more flexibility, and Colorado's ski towns have said the same to me, so it is just plain common sense.

The Ski Area Recreational Opportunity Enhancement Act clarifies how ski area permits can be used. It ensures that ski area permits can be used for additional snow sports such as snowboarding, as well as specifically authorizing the Forest Service to allow additional recreational opportunities, such as summertime activities, in these permitted areas.

Let me note that the authority—this expanded authority—is limited. It doesn't give ski areas carte blanche use of public lands. The primary activity in the permit area must remain skiing or other snow sports.

We want to preserve the unique characteristics of our world-renowned mountain communities. Therefore, certain types of development—water parks, amusement parks, and other activities that require new and intrusive structures—are prohibited. Rather, we envision opening opportunities for zip lines, mountain bike terrain parks, Frisbee golf courses, ropes courses and activities that are similar. As I mentioned, not only will they increase economic activity and create new jobs, the ski areas tell me it will actually help them recruit more Americans for jobs that currently go to foreign visa holders.

Many Coloradans would love to work year-round in and around our mountain communities, but they are forced to take other jobs that can ensure them year-round employment. Subsequently, our ski areas often recruit visa holders to run the lifts, work in the resorts, and cover the winter months because they oftentimes can't recruit locals for such short-term employment. In effect, this bill we passed last night will help create year-round demand in our mountain communities and provide the year-round employment that Coloradans need. This is a win-win situation.

For those who earn a job because of this bill, it will be very welcome news from a Congress they see as increasingly ineffective and disengaged.

As I have implied and said already, I represent a State where the use and the enjoyment of the outdoors is just who we are. It is why we live in Colorado. One could say it is in our blood, but it is also in our wallets. Tourism and outdoor recreation is the No. 1 economic driver for our State. Activities such as hiking, skiing, shooting, and angling contribute over \$10 billion a year to our economy, supporting over 100,000 jobs and generating \$500 million in State tax revenue.

This is not limited to Colorado. The Outdoor Industry Foundation found that outdoor recreation activities add over \$730 billion to the national economy every year. In fact, during this time of economic uncertainty, outdoor recreation and tourism are two very bright spots in our economy. Perhaps most important, this is an area of our economy that continues to grow. It has grown by more than 6 percent in just 2011, and it has outpaced U.S. economic growth more generally.

More Americans are spending time outside, enjoying nature and getting exercise. I have long felt it is in the National interest to encourage Americans to engage in outdoor activities that can contribute to our health and wellbeing. But as Americans enjoy recreating outdoors, they are also supporting a large and growing industry of supply stores, manufacturers, guides, hotels, and other important businesses that are the backbone of many rural communities.

Ski resorts are a major component of this economic sector in Colorado, many western states, and, indeed, many places throughout the country. This bill is a huge priority for them and its passage—while long overdue—is truly a remarkable move that will help job creation all across the country.

Michael Berry, president of the National Ski Areas Association, said it best when he noted:

Ski areas serve as a portal to the country's national forests. Bringing summer and year-round recreation to rural communities is the No. 1 priority in Washington for ski areas today. We are anxiously awaiting to plan and implement year-round operations at ski areas, create year-round jobs and encourage more kids and families to enjoy the great outdoors. All of this will of course benefit

the rural communities in which ski areas are located.

The ski areas have been great partners in this effort, and I cannot wait for President Obama to sign this important legislation into law so they can begin immediately creating the important and well-paying jobs Americans are desperately waiting for.

At a time when it seems as though Congress is too wrapped up in partisan wrangling to find commonsense ways to create jobs, this is a remarkable achievement. It signals to job seekers everywhere that not only are we capable of finding creative ways to create jobs, but that when we put our minds to it, we can set aside our differences and work together.

I hope this bipartisan action will catch on and that we can continue to chip away at both our unemployment numbers and our record of partisan dysfunction.

Here is what is most important to note: The outdoor recreation industry is a part of our economy across our country and there is very significant growth occurring. So this is an important achievement because we have been tied up in partisan knots. We showed last night we can actually do something on behalf of the American people that will help create jobs.

I wish to particularly acknowledge the staff who worked so hard on this piece of legislation. Scott Miller, a longtime staffer on the Energy and Natural Resources Committee, worked tirelessly, as did a former staff member of mine, Doug Young, who now works for the Governor of Colorado, John Hickenlooper. We began this work in the House of Representatives, where the Presiding Officer and I both served. I wish to thank also, in special fashion, Wendy Adams and Stan Sloss, who persevered time and time again as we fought through a series of procedural holds and other setbacks. While economic challenges still face our country, this is a positive step forward.

I wish to thank all my colleagues for supporting me in this effort.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2112, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Reid (for Inouye) amendment No. 738, in the nature of a substitute.

Reid (for Webb) modified amendment No. 750 (to amendment No. 738), to establish the National Criminal Justice Commission.

Kohl amendment No. 755 (to amendment No. 738), to require a report on plans to implement reductions to certain salaries and expenses accounts.

Durbin (for Murray) amendment No. 772 (to amendment No. 738), to strike a section providing for certain exemptions from environmental requirements for the reconstruction of highway facilities damaged by natural disasters or emergencies.

McCain amendment No. 739 (to amendment No. 738), to ensure that the critical surface transportation needs of the United States are made a priority by prohibiting funds from being used on lower priority projects, such as transportation museums and landscaping.

McCain amendment No. 741 (to amendment No. 738), to prohibit the use of appropriated funds to construct, fund, install or operate certain ethanol blender pumps and ethanol storage facilities.

Sanders amendment No. 816 (to amendment No. 738), to provide amounts to support innovative, utility-administered energy efficiency programs for small businesses.

Landrieu amendment No. 781 (to amendment No. 738), to prohibit the approval of certain farmer program loans.

Vitter amendment No. 769 (to amendment No. 738), to prohibit the Food and Drug Administration from preventing an individual not in the business of importing a prescription drug from importing an FDA-approved prescription drug from Canada.

Coburn amendment No. 791 (to amendment No. 738), to prohibit the use of funds to provide direct payments to persons or legal entities with an average adjusted gross income in excess of \$1 million.

Coburn amendment No. 792 (to amendment No. 738), to end payments to landlords who are endangering the lives of children and needy families.

AMENDMENT NO. 739

The ACTING PRESIDENT pro tempore. Under the previous order, the time until noon will be equally divided between the Senator from Arizona, Mr. MCCAIN, and the Senator from California, Mrs. BOXER, or their designees.

The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that the final 10 minutes of debate prior to noon on the McCain amendment No. 739 be equally divided between Senator MCCAIN and myself or our designees.

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

Mrs. BOXER. To lead us off on this very important amendment and to explain why it is important to not support the McCain amendment is a senior member of the Environment and Public Works Committee and a great member of that committee and a great supporter of the environment and transportation, Senator CARDIN of Maryland. I yield him 6 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Madam President, I thank Senator BOXER for her extraordinary leadership as chair of the Environment and Public Works Committee.