

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 18

At the request of Mr. JOHANNIS, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 18, a bill to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations and for other purposes.

S. 21

At the request of Mr. REID, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 21, a bill to secure the United States against cyber attack, to enhance American competitiveness and create jobs in the information technology industry, and to protect the identities and sensitive information of American citizens and businesses.

S. 23

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

S. 72

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 72, a bill to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

S. 102

At the request of Mr. MCCAIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 168

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 168, a bill to amend the Help America Vote Act of 2002 to establish standards for the distribution of voter registration application forms and to require organizations to register with

the State prior to the distribution of such forms.

S. 183

At the request of Mr. ROCKEFELLER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 183, a bill to clarify the applicability of certain maritime laws with respect to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon.

S. RES. 21

At the request of Mr. MERKLEY, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Colorado (Mr. UDALL), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 21, a resolution to amend the Standing Rules of the Senate to provide procedures for extended debate.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KOHL, Mrs. FEINSTEIN, and Mr. DURBIN):

S. 216. A bill to increase criminal penalties for certain knowing and intentional violations relating to food that is misbranded or adulterated; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am pleased to introduce legislation to hold criminals who poison our food supply accountable for their crimes. This is an issue that received considerable attention last year, and I was pleased that the Congress finally passed comprehensive food safety reforms. But our work is not done. The Food Safety Accountability Act increases the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury. The legislation I propose will allow law enforcement to seek sentences of up to 10 years in jail for those who contaminate our food supply with the intent to mislead or defraud consumers, and endanger Americans.

Last year, I introduced similar legislation which received unanimous support from the Senate Judiciary Committee. I hope the Judiciary Committee, and the full Senate, will give it the same consideration this year. I'd like to thank Senator KLOBUCHAR and Senator FRANKEN for their ongoing support of the bill. Senator SESSIONS, Senator HATCH, Senator COBURN, and Senator GRASSLEY had concerns about its breadth, and we were able to work together to address these concerns in the legislation I introduce today.

Just last summer, a salmonella outbreak caused hundreds of people to fall ill and triggered a national egg recall.

The company responsible for the eggs at the root of this summer's salmonella crisis had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who intentionally poison the food supply will go to jail. The Food Safety Accountability Act will help to do that in the most egregious cases.

Current statutes do not provide sufficient criminal sanctions for those who violate our food safety laws with the intent to mislead or defraud. Doing so is already illegal, but it is merely a misdemeanor right now, and the Sentencing Commission has found that it generally does not result in jail time. The fines and recalls that usually result from criminal violations under current law fall short in protecting the public from harmful products. Too often, those who are willing to endanger our children in pursuit of profits view such fines or recalls as merely the cost of doing business.

In the last Congress, a mother from Vermont, Gabrielle Meunier, testified before the Senate Agriculture Committee about her seven-year-old son, Christopher, who became severely ill and was hospitalized for six days after he developed salmonella poisoning from peanut crackers. Thankfully, Christopher recovered, but Mrs. Meunier's story highlighted improvements that are needed in our food safety system. No parent should have to go through what she experienced. The American people should be confident that the food they buy for their families is safe.

After hearing Mrs. Meunier's account, I called on the Department of Justice to conduct a criminal investigation into the outbreak of salmonella that made Christopher and many others so sick. These products were linked to the deaths of nine people and have sickened more than 600 others. It appears that the company responsible knew that their peanut products had tested positive for deadly salmonella, but rather than immediately disposing of the products, the company sought ways to sell them anyway. The evidence suggests that the public was misled, and that the company put profit above the public's safety. The Food Safety Accountability Act increases the chances that those who disregard the safety of Americans and commit food safety crimes will face jail time, rather than merely a slap on the wrist, for their criminal conduct.

On behalf of the hundreds of individuals sickened by recent salmonella outbreaks, I hope Senators of both parties will act swiftly to pass this bill. We have come a long way, but must continue to be diligent to ensure that our food safety system is strong. The Justice Department must be given the tools it needs to investigate and prosecute crime involving food safety, and we must work together, from farm to

fork, to improve the safety of food in this country.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Safety Accountability Act of 2011".

SEC. 2. CRIMINAL PENALTIES.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"§ 1041. Misbranded and adulterated food

"(a) DEFINITION.—In this section, the term 'food' has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

"(b) OFFENSE.—Any person who violates subsection (a), (b), (c), or (k) of section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) with respect to any food—

"(1) knowingly and intentionally to defraud or mislead; and

"(2) with conscious or reckless disregard of a risk of death or serious bodily injury, shall be fined under this title, imprisoned for not more than 10 years, or both."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"1041. Misbranded and adulterated food."

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 220. A bill to provide for the reforestation of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I rise today to introduce critical forest legislation for my home State of Oregon.

This is legislation that I introduced in the last Congress. Unfortunately, despite making significant progress and gaining the support of the administration, my legislation did not get passed before Congress adjourned. But the need remains as great as ever and it remains one of the top priorities for my State. So today, early in this new Congress, I am reintroducing the bill and sending the message that this urgent priority needs to get done.

I am pleased that my colleague from Oregon, Senator MERKLEY, has joined me today in introducing this bill. Like me, he recognizes the severe needs in our forests and in the forest dependent communities.

For too many decades, Oregon has been at war with itself over the fate of its forests. Nowhere has the negative impact of this battle been greater than in Oregon's eastside forests.

Over-logging and disastrous fire suppression policies of the past gave way over time to excessive litigation and gridlock.

That excessive litigation and gridlock has resulted in millions of acres of

Oregon's Federal forest landscape containing choked, overstocked stands that are at great risk of uncharacteristic catastrophic fires, insect infestations and disease.

Controversial logging that holds the industry and the environment hostage to competing ideologies serves no one's interest. The focus should be on areas that everyone agrees desperately need management: to thin and restore our forests and watersheds, and to reduce hazardous fuels putting our forests at risk.

That is why I introduced legislation in the last Congress to begin to tackle the challenges facing Oregon's Eastside forests.

Leaders on both sides of these difficult issues came together with me after intense negotiations to bring peace, jobs, and a healthier tomorrow to the 8.3 million acres on the 6 Federal forests in eastern and central Oregon.

Those leaders realized that each side had armed itself politically enough to survive, but not enough to succeed.

With each passing month and each attempted timber sale and threatened lawsuit, our inability to take action, our inability to address the needs of Oregon's declining forests means that they are growing more at risk of preventable fire and disease.

Leaders on both sides of this issue realized that unless something fundamental changes, Oregon's Federal forest landscape, with millions of acres of choked, at-risk forest in desperate need of management, millions of acres of old growth, species habitat, and watersheds face an uncertain future.

Timber executives came together with leaders of the Oregon environmental community to take shared responsibility for saving our endangered forests, following months of intense negotiations to reach an agreement on legislation.

Since my bill was introduced in the last Congress, there have been continuing discussions and negotiations as my stakeholders and I have worked with the Administration and the Energy and Natural Resources Committee to get the bill ready for passage in the Senate. Today's bill reflects some of those changes, but it preserves the core elements of the agreement that I crafted with the stakeholders to this agreement—a push to increase the timber produced from our national forests, landscape scale restoration efforts and protections for watersheds and old growth.

Today in eastern Oregon we are down to only a small handful of surviving mills. Without far greater certainty of supply and an immediate increase in merchantable timber, more mills will close.

If that happens, our Eastside forests will pay the price.

Without mills to process saw logs and other merchantable material from forest restoration projects, there will be no restoration of our Eastside forests.

Fortunately leaders on both sides of this issue recognize that and that is

why they set aside their differences to forge an agreement.

Job One must be saving the remaining infrastructure of forestry—Oregon's mills and its timber workers—in central and eastern Oregon while preserving our old growth and watersheds.

My stakeholders and I worked very hard on the agreement and to advance this legislation. As I predicted, we have already seen our share of challenges. But I have great faith that we will stand firm to see this legislation implemented.

I am not going to let Congressional gridlock stop the historic progress that has been made on forestry issues in Oregon. This issue is simply too important.

I also want to point out that none of our efforts will succeed unless Oregon Federal forests are also adequately funded to properly manage and restore these valuable Federal assets.

Together, as a team, we will fight for the funding to put our people back to work and restore the health of our forests.

I want to thank my stakeholders for their support and tireless work in crafting this agreement and ultimately in working with me through the legislative process.

I am proud to introduce this legislation today, and I am going to keep working with all the folks in my State who are willing to talk in good faith about restoring our eastside forests.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 28—TO ESTABLISH AS A STANDING ORDER OF THE SENATE THAT A SENATOR PUBLICLY DISCLOSE A NOTICE OF INTENT TO OBJECTING TO ANY MEASURE OR MATTER

Mr. WYDEN. (for himself, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. BROWN of Ohio, Mr. BINGAMAN, Mr. INHOFE, Mrs. MURRAY, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. COLLINS, Mr. DURBIN, Mrs. GILLIBRAND, Mr. TESTER, Mr. JOHANNIS, Mr. MERKLEY, Mr. BEGICH, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 28

Resolved,

SECTION 1. ELIMINATING SECRET SENATE HOLDS.

(a) IN GENERAL.—

(1) COVERED REQUEST.—This standing order shall apply to a notice of intent to object to the following covered requests:

(A) A unanimous consent request to proceed to a bill, resolution, joint resolution, concurrent resolution, conference report, or amendment between the Houses.

(B) A unanimous consent request to pass a bill or joint resolution or adopt a resolution, concurrent resolution, conference report, or the disposition of an amendment between the Houses.

(C) A unanimous consent request for disposition of a nomination.