

gender. Then, in 1988, Senator Kennedy extended the act's protections to those Americans with disabilities and families with children. Both of these expansions received broad bipartisan support and were actually signed into law.

As Senator Brooke said 44 years ago:

Fair housing is not a political issue, except as we make it one by the nature of our debate. It is purely and simply a matter of equal justice for all Americans.

Well said by Senator Brooke 44 years ago.

Fair housing has a bipartisan history and we have a chance to do it again. We can do it by protecting two additional groups from housing discrimination. My Ending Housing Discrimination Against Servicemembers and Veterans Act, S. 3283, is needed and it is needed right now. It amends the Fair Housing Act to protect veterans and servicemembers from housing discrimination.

By passing this bill right away, the Senate can say affirmatively and immediately that veterans and servicemembers deserve the same rights to housing as anyone else. This is a no-brainer. The Commander in Chief of the Veterans of Foreign Wars of the United States has endorsed my bill, as referenced for people looking on, saying:

Senator Brown's work to protect servicemembers and veterans from housing discrimination is very positive. It is unconscionable that members of our military and veterans should fear not being able to rent or buy a home because of their status as a veteran.

This bill will correct the issue.

By passing this bill right away, we can, once again, say to those veterans and servicemembers that they have our pride and respect. We need the action right now. No veteran or servicemember should ever face the indignity of being denied housing solely on the basis of their service.

The Fair Housing Act of 1968 and Senator Kennedy's amendments in 1988 passed with overwhelming support. We should be able to do the same. I urge all my colleagues to cosponsor this important piece of legislation and work for its immediate and unanimous passage. It is time to fix this shortcoming in our Nation's housing laws and it is, quite frankly, the right thing to do.

I would like to also take this opportunity to wish the U.S. Army a happy 237th birthday. I was honored to go to the cake-cutting last night and honor those who have done so much for our great country.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I yield back all postcloture time on the nomination of Mari Carmen Aponte.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraor-

dinary and Plenipotentiary of the United States of America to the Republic of El Salvador?

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### FLOOD INSURANCE REFORM AND MODERNIZATION ACT—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, very quickly, that was the last vote today. It appears we will have no votes tomorrow. But Senator STABENOW and Senator ROBERTS are working very diligently to come up with an agreement on the farm bill. We are going to have a vote Monday evening. We have not decided exactly what that will be on. We have a number of different alternatives. But we hope we can have common sense prevail and be able to come up with an agreement, if for no other reason than to recognize the hard work of the two managers of this bill.

It is so important we get this done. There are issues we are going to vote on, one of which Senator KERRY will talk about. There are relevant amendments. We have a lot of them. We will agree to vote on those. We are trying to work out also the nonrelevant amendments, and we are not there yet.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### APONTE NOMINATION

Mr. KERRY. Mr. President, I am grateful we finally have been able to get the nomination of Mari Aponte confirmed. I thank Senator MENENDEZ for managing for me.

I thank our colleagues in the Senate for finally getting our nominee in place and confirming her to be the Ambassador to El Salvador. I think it is long overdue. She will do a terrific job, and I am grateful to colleagues that we finally have, in fact, confirmed this nomination.

Mr. President, I understand I can proceed as in morning business.

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

#### AGRICULTURE REFORM

Mr. KERRY. Mr. President, I will do so, but I wish to speak with respect to an amendment on the farm bill for when we get back to that.

I wish to call to the attention of my colleagues the fact that in 2008, the

farm bill's conferees inserted a provision that transfers authority of the regulation of catfish, but only catfish—it was the only particular item singled out to be transferred—from the Food and Drug Administration to the U.S. Department of Agriculture. The provision was not debated in either body. It is one of those things that, as we all know, people have increasingly gotten incensed about in the public as well as around here, in the Congress itself.

Because it was transferred over to the U.S. Department of Agriculture, the USDA subsequently published a proposal in order to carry out the new mandate it had been given to regulate catfish. But that proposal has remained, and properly so, stalled in the regulatory process. I say "properly so" because it serves no public interest, it is costly for taxpayers, and it is duplicative and confrontational with other entities that are engaged in that kind of oversight. As a result, it will invite trade retaliation abroad and put us on a train wreck, if you will, of sort of excessive regulatory conflict.

Senator MCCAIN and I have joined together, along with a bipartisan group of our colleagues, to offer an amendment, amendment No. 2199, to repeal the 2008 catfish language. If we don't repeal it, the USDA is going to try to continue to proceed forward in this regulatory train wreck.

Let me give a little background. In February of 2011, the GAO cited the proposed catfish regulatory program—cited it as part of its report on those programs that were at high risk for waste, fraud, and abuse. Then, in March of 2011, the GAO again called this program duplicative as part of a totally separate report. Then, just last month, the GAO produced an extensive and detailed analysis of why this program is not only costly and duplicative but why it would have no food safety benefit. If it is not going to have any food safety benefit, it is costly, it is duplicative, the obvious question for all of us is: Why? What is going on here?

All of us care about jobs in our communities. Every State is always vying to find a way to try to guarantee that the jobs it has are protected and that it is creating more jobs. We all understand that. So I don't have any animus against any particular Senator fighting to do that. In this case, a number of catfish producers in the South managed to get protection that takes care of them but hurts a lot of other folks in a lot of other parts of the country. So it may be good for catfish producers in a few places in the South, but it is bad for consumers in the United States generally because it raises costs, and it is very bad for seafood processors and for communities, in my State among others, but in other States in the country on the west coast and east coast. There are employers in my State that would like to process and distribute products that come from various other places, including abroad, and they

ought to be able to do so in a free market, in an open market that is not protected and chopped up and diced and sliced in order to protect people inappropriately. Playing protectionist games with the rules and regulations and agencies is bad public policy.

It is bad economic policy, particularly, and it is an invitation to our trading partners to do the same thing. And when they do it, we complain about it, and rightfully.

As Senator BAUCUS, the chairman of the Finance Committee, has pointed out:

U.S. agricultural products, including safe, high-quality Montana beef, face unscientific trade restrictions in many important markets. If we expect other countries to follow the rules and drop these restrictions, it is critical that we play by the rules and do not block imports for arbitrary and unscientific reasons.

That is exactly what we are trying to undo with the amendment Senator MCCAIN and I are bringing to the farm bill. The only reason this bad idea that was codified in 2008 has not yet become an active program is that—get this, Mr. President—the bill did not define the word “catfish.” So as a result, for the last 4 years, lawyers, lobbyists, public relations firms, foreign governments, legislators, and multiple Cabinet officials have engaged in a definitional debate over what qualifies a fish to be called a catfish and, subsequently, fall into this new regime.

Well, it turns out that whether a fish is or is not a catfish is something that experts can actually debate for hours, believe it or not. It also turns out it does not matter because, according to the GAO, the FDA ought to retain jurisdiction over all fish, catfish and non-catfish alike, and that is the simplest solution.

As I mentioned, apparently, you can debate forever about what kind of fish it is, and that is exactly what has been going on, as to whether it constitutes being a catfish. But this is very simple. The GAO put out a report in May of this year, and in the report the GAO could not have been more clear. They made it about as simple as they could in their statement, saying:

Responsibility for Inspecting Catfish Should Not Be Assigned to USDA.

A simple sentence. GAO, as we all know, gives nonpolitical assessments, is a watchdog, if you will, for the actions here in the Congress. In that report, they state:

The proposed program essentially mirrors the catfish oversight efforts already underway by FDA and the National Marine Fisheries Service. Furthermore, since FDA introduced new requirements for seafood processing facilities, including catfish facilities, in 1997, no outbreaks of illnesses caused by Salmonella contamination of catfish have been reported. . . . Consequently, if implemented, the catfish inspection program would likely not enhance the safety of catfish but would duplicate FDA and NMFS [National Marine Fisheries Service] inspections at a cost to taxpayers.

So I think that is pretty clear-cut. We need to repeal the 2008 farm bill

language related to catfish. We need to let the American consumer decide from all of the safe food options that exist, let them decide what they want to consume. And, obviously, we have nothing specifically against catfish per se in any part of the country, and particularly the jobs. We all want the jobs. But they should not come at the expense of another part of the country, setting up a duplicative, completely wasteful, taxpayer-expenditure-duplicated program.

Mr. President, in addition to that, I want to say a quick word about another amendment Senator MURKOWSKI and I are sponsoring—my colleague, Senator BROWN, is also a sponsor of it—and that is to resolve an important inequity that exists in the current law. We need to help provide desperately needed disaster assistance to fishermen in Massachusetts and around the Nation. It is not just for Massachusetts.

I hope the managers of this legislation will let the bipartisan amendment receive a vote during the Senate consideration of this legislation. Everybody knows that in certain parts of New England and in places such as the State of Washington—I was out in Washington last weekend, in Seattle, they have a huge fishing industry—California, San Diego, various parts of the country, Louisiana, we have a lot of fishing. But, increasingly, those fishery resources are under pressure, and increasingly there is regulation in order to try to preserve the stocks.

So fishermen who have fished for a livelihood for a lifetime are being restricted in the numbers of days they can go to sea, restricted in the amount they can catch. People have lost homes. They have lost boats. Whole lives have been turned topsy-turvy because of conditions beyond their control. Whether it is the ecosystem, Mother Nature, nobody knows, but it is no different from a drought in the Iowa cornfields or in other parts of the country. It is no different from a disaster that takes place when crops are wiped out.

These folks are being wiped out. They are the farmers of the sea, the farmers of the ocean, and they farm sustainably. But they need help. Gloucester and New Bedford in Massachusetts are two of the largest fishing ports in our Nation, and the commercial fishing industry supports about 83,000 jobs in the State and \$4.4 billion in revenue. But it is becoming harder and harder for these fishing families and for the smaller boats to survive. These small boat fishermen, particularly, are part of the culture of our State and of our region, and we want to try to preserve that.

Last fall, the National Oceanographic and Atmospheric Administration announced a reversal in the most recent Gulf of Maine Cod Assessment. Within 3 years of each other, two radically different stock assessments have been issued—one saying the stocks are replenishing, another saying they are

disappearing. And fishermen are whipsawed between these stock assessments and are told different things. In one, they think they can invest in their boats and in the future; in the next, they are being told: Sorry, folks, you are out of luck.

Well, it should not be that arbitrary, and it certainly should not just whack them and abandon them.

NOAA is now undertaking a new survey for next year because of the conflict of the surveys. So how are we going to help these people survive until next year? How are we going to help them get through those hard times and keep those boats, so if the word comes back that they can go back out to the ocean and continue their livelihoods, they are actually able to do that?

My amendment simply expands the eligibility for the Emergency Disaster Loan Program—underscore loan; it is not a grant; it is a loan program—to include commercial fishermen and shellfish fishermen. That is all we are asking. It would allow fishermen to be eligible for a low-interest emergency disaster loan, available through the Department of Agriculture’s Farm Service Agency. It is my understanding this amendment would have no score.

Fishermen, as we know—many people saw “The Perfect Storm.” They risked their lives to go out and put protein, food on the tables of America. All you have to do is watch one of the shows—“Deadliest Catch”—to get a sense of what is at stake. I believe they are agricultural producers, like other kinds of farmers, and they ought to be treated with the same respect.

We have put billions upon billions of dollars, often in grants, in emergency assistance, for one reason or another, to farmers across the States of the Midwest, Far West, and some in the Northeast, where we do have some farming, but usually it is in other parts of the country, and we have consistently voted to do that, to help people.

We are asking our colleagues to treat our farmers of the sea with the same respect that others are treated in this country. We simply end an inequity in the law that does not provide a legal mechanism for people to be able to do what they would like to do, which is being able to legally help our fishermen with these low-interest loans.

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

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

#### PILOTS’ BILL OF RIGHTS

Mr. INHOFE. Mr. President, a while ago we were talking about the unanimous consent request that was objected to by Senator HUTCHISON to bring up my pilots’ bill of rights by

unanimous consent, actually Senate rule XIV.

During that time, it was the intention of Senator MARK BEGICH from Alaska to be on the Senate floor with me. He was tied up with constituents. I did not want to talk about him unless he was down here. But I have visited with him. Right now we have—I do not know how many—thousands and thousands of pilots who are watching this at this moment. I want them to know that MARK BEGICH has been the cosponsor of my legislation. We would not be able to be here and doing what we are doing, as far along with 66 cosponsors, if we had not had his cooperation. I wish to thank him and the junior senator from West Virginia Mr. MANCHIN, who has been on my side on this legislation all of the way through.

I just want to make sure the pilots of America know who does want them to have equal justice under the law and who, perhaps, does not.

I yield the floor.

THE PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I want to thank the good Senator from Oklahoma, Mr. INHOFE, for his leadership on this very important piece of legislation. I am proud to be part of that with him and the leadership he has shown for us fellow pilots and, basically, the only connection we have in some rural parts of not only West Virginia but all of over the country, our private aviation. We hope to keep that alive and well. I know it is the same in the Presiding Officer's State. We appreciate all of the support and Senator INHOFE's leadership.

#### HYDROCODONE ABUSE

Mr. President, I rise today to speak about a very important issue that I believe will truly help each and every one of us, every Senator and every Congressman from all 50 States, accomplish something meaningful when it comes to fighting the prescription drug abuse epidemic that is plaguing communities all over this great Nation.

I have not talked to a person in my State who has not been affected by a person in their immediate family or extended family with prescription drug abuse. It is something that is of epidemic proportions that we have to fight and work together on.

Less than a month ago, I was so proud when the Senate came together to unanimously support an amendment I offered with Senators MARK KIRK, KIRSTEN GILLIBRAND, CHUCK SCHUMER, and JAY ROCKEFELLER that would make it far more difficult to abuse addictive pain medication by reclassifying drugs containing hydrocodone as schedule II substances.

Let me explain what this means in practical terms. Moving hydrocodone to a schedule II drug means that patients would need an original prescription to get their pills refilled. Pills would be stored and transported more securely, and traffickers would be subject to increased fines and penalties.

As we speak, negotiations are ongoing between the House and the Senate on a compromise version of the Prescription Drug User Fee Act. The Senate version contains my amendment and the House version does not. So we are fighting as hard as we can to make sure this amendment is included in the final bill.

Last month I stood on the Senate floor and shared stories that I heard in communities across West Virginia about why this amendment is so urgently needed. Prescription drug abuse is responsible for about 75 percent of the drug-related deaths in the United States and 90 percent in my home State of West Virginia.

According to the White House Office of National Drug Control Policy, prescription drug abuse is the fastest growing drug problem in the United States. It is claiming the lives of thousands of Americans every year. But no statistic can illustrate the scope of this problem like hearing the pleas of children who are begging their leaders to do something to get drugs out of their communities—children such as those I met in Wyoming County, West Virginia, last October where more than 120 people have died from drug overdose in 7 years, including 41 last year and 12 already this year.

Since that proud moment when the Senate unanimously passed my hydrocodone rescheduling amendment, it has come under fire—you can imagine—from groups that seem to think trying to limit the number of hydrocodone pills making their way into our communities, and oftentimes into the wrong hands, is a bad idea because it affects their bottom lines.

I recognize this amendment does not fit into the business model of selling as many pills as possible. I understand that. But with that being said, I believe we have a responsibility to this great Nation, and especially to the youth of America. This will affect us for generations to come. To win this war on prescription drugs it needs to happen now.

Hydrocodone is one of the most abused substances we have and the most addictive. I do not think I have talked to a person who does not recognize that each and every State is experiencing these horrible problems with this prescription drug abuse. The facts will bear this out.

According to a report issued by the Centers for Disease Control in November, the death toll from overdoses of prescription painkillers has more than tripled in the last decade. The findings show that more than 40 people die every day from overdoses involving narcotic pain relievers such as hydrocodone, methadone, oxycodone, and oxymorphone.

These prescription painkillers are responsible for more deaths than heroin and cocaine combined. Yet still we are hearing from some folks who just do not believe that rescheduling hydrocodone is a good idea. I have said

to those groups: Let's work together on a compromise that can address your legitimate concerns. If anyone has a concern with this amendment, just come to me and we will sit down with you and try to work through it in a most reasonable manner.

We have already offered a number of compromises to different groups in an effort to get this bill passed and signed into law. I want to clarify some of these concerns.

We have heard from some with concerns that making hydrocodone a schedule II drug will mean that patients with legitimate needs for those medications would face increased hurdles to obtaining them and that those patients would have to visit the doctor more often.

To them, I would say the following: Look at what the DEA did in 2007 to reduce burdens facing patients when it came to refills. They finalized a new rule allowing doctors to provide individual patients with a 90-day supply of any schedule II medication by issuing three separate prescriptions: one for an immediate supply and two additional prescriptions that cannot be filled until a certain specified date.

If they receive a 90-day supply, patients would only need to visit their doctor four times per year. If they have a chronic ailment, I would think those patients would want that type of evaluation anyway. That makes all the sense in the world to me, and I know to a lot of Americans.

If a practitioner is prescribing medication as part of a usual course of professional practice and for legitimate medical reasons, there is no numerical limitation on the quantity they can prescribe. Federal law does not limit physicians to providing only a 30-day supply of medication. The amount prescribed and length of treatment is within each doctor's discretion.

We have also heard from those who are worried that pharmacies could face increased operating costs caused by new storage requirements as well as increased paperwork. But there is no difference in Federal storage requirements between schedule III and schedule II drugs. Federal law requires that all controlled substances be stored and securely locked in substantially constructed cabinets.

As for more paperwork, pharmacies are already doing paperwork on their current schedule II drug orders. All this amendment would require is including an additional line on the existing form that specifies how many hydrocodone combination pills they are ordering.

The bottom line is, we have to recognize this is a very addictive drug. As a schedule III drug, hydrocodone is very available to people who might not use it for the right purposes but for illicit purposes. All we are saying is give us a chance to protect some of the most vulnerable people we have, especially our young people who are addicted to these prescription drugs.

Look at all of the people who support this amendment, the folks who are out there on the front lines trying to keep our society safe and fight the war on drugs so that we can all be in a better society and more protected. We have groups such as the Fraternal Order of Police, the National District Attorney's Association, the National Narcotics Officers' Association, the National American Society of Addiction Medicine, the National Association of Drug and Alcohol Interventionists, the West Virginia Medical Professionals Health Program, the Drug Free America Foundation, Inc., the National Coalition Against Prescription Drug Abuse, and the Prevention Partnership.

These people are on the front lines. They are saying this amendment is needed. This will help them immensely fight this war on drugs. Those are the people who are out there helping us every day in society.

We are willing to sit down and work with people if they have legitimate concerns. But if the concern is that this amendment interrupts their business plan, I hope they would rise above their business plan and be an American first. What we are trying to do is good for this country. It is good for each one of our States. I know it would be good for the State of West Virginia and the Presiding Officers's State of Vermont for generations to come.

We will be working hard and we will be protecting them for the quality of life as Americans. I am not trying to put anyone out of business. I am a businessperson myself. I appreciate the hard work of businesses all across this country and the risks they take and the dedication they have. But when we have a problem, we have to fix it. We have a problem. This amendment is not going to solve all of our problems, we recognize that. It is not going to eliminate prescription drug abuse once and for all. But it does give us one more tool to fight the drug abuse problem we have in this country.

To get this passed, it is going to take the voices of the public—not just the voices in this Chamber or across the Capitol but the voices of the public, the voices of people who have seen what it has done to our families, to our children, and our communities. We need their voices saying: We cannot stand by and watch this happen any longer; voices such as those from Oceana Middle School in Wyoming County in the State of West Virginia who participated in a letter-writing campaign to their elected leaders asking for help with a drug epidemic.

One of them wrote this to me:

My town, Oceana, has an issue about drugs. I write this letter to you because I hope you can do something about it. In 2006, my godmother died of an overdose. She was the only person I could talk to. Drugs make people act in bad ways, and if something doesn't happen about them, then our town will be in worse shape.

Mr. President, I have been there many times. As a young person in col-

lege, my roommate was from Oceana. It was one of the most beautiful cities I had ever seen 40 years ago, but you would not recognize it with what has happened. These are young middle-school children crying out for help. They are afraid to go out in the streets.

This is happening all over America. These students want a better life for their parents, their siblings, their friends, and for their communities. Also, they want a better life for themselves. They are willing to fight, and we should be willing to fight for them. That is our job and what we were sent here to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I come to the floor of the Senate today to speak about a number, a number that has a particular significance for us here, and that number is 400. Why is 400 an important number at this point in our history? What is important about 400 is that it is the number of parts per million of carbon dioxide that has been measured this spring in the Arctic.

This is a first. We have never hit 400 before. For 8,000 centuries mankind has inhabited this planet within an atmospheric carbon dioxide range of 190 to 300 parts per million. That is the range, the bandwidth, within which we have lived.

How long is 800,000 years? It is a pretty darn long time. I don't think there are any human remains or artifacts that go back further than 200,000 years. If we go back more than 10,000 years, we are only seeing the very beginnings of agriculture, where people are beginning to scratch the soil and plant things. For longer than our species has effectively inhabited this Earth, we have been in this happy bandwidth that has supported our lives, supported congenial climate for human development.

We are out of that now for the first time in that period—800,000 years—and we are not just a little bit out of it. We didn't go to 302 or to 350. We have now crossed 400, and we are still going. We are still going, and there is no end in sight.

We continue to dump gigatons of carbon dioxide into our atmosphere every single year, and we continue to subsidize the people who do the dumping. At least in this building, and probably in the boardrooms of ExxonMobil and a few other places, we studiously ignore the facts that are right before our faces.

Here are just a few stories from the past week or so: A June 4 story in the New York Times reported that "climate change threatens power output."

Why would a warming climate change threaten power output? It is be-

cause warmer waters, when they are pumped through powerplants, don't provide the same cooling capacity. So if we are going to keep plants from overheating, we have to dial back the power output. For places such as the heavily developed U.S. Northeast, we can be pretty close to our margins from time to time, particularly when air-conditioning loads are high in the summer, and those hot days increase the risk of power cutbacks or conceivably even power outages.

A June 5 story in the U.S. News and World Report described a recently published article in which several European public health experts wrote that climate change could alter patterns of food availability and change disease distribution, all in ways that could harm human health.

If we want an example of how the change in climate changes the way things move around on this Earth, we have to look no further than the pine beetle, which is decimating our traditional western forests because the winters are no longer cold enough to kill off the larvae. As the warmth moves ever northward, so do the larvae, and we can fly over mountains and look down and see the brown wasteland of trees that used to be green pine forests.

NOAA reported that the lower 48 States just experienced the warmest May on record. The national average temperature for this spring—March through May—was 5.2 degrees above the 20th century's long-term average, surpassing the previous warmest spring ever, in 1910, by 2 full degrees.

Some States are warming faster than others, and Rhode Island, unfortunately for us, is at the top of the list. Climate Central, a research organization, crunched averages of the daily high and low temperatures from the National Climatic Data Center's U.S. Historical Climatology Network of weather stations. Their recently published report determined that over the past 100 years, Rhode Island has actually warmed the fastest of any State. This has terrible consequences for us, from shifting our growing season to harming the cold-water fish we catch in our warming Narragansett Bay.

As an aside, when my wife was doing her graduate research out in Narragansett Bay, she was studying the interaction between winter flounder and a shrimp that lives in the bay called Crangon septemspinosa. The reason that was important then was because winter flounder was a huge cash crop for our Rhode Island fishermen. It hasn't been that long since she did her graduate research, and winter flounder has fallen off as a cash crop for our fishermen. Narragansett Bay has warmed. The water temperature is up nearly 4 degrees, which may not seem much to terrestrial beings like us when we jump in the water and it is 64 degrees instead of 60 degrees. Does that really make a difference to us? No. But for the fish for whom that is their entire ecosystem, that has shifted and

has demolished the winter flounder fisheries, which are down something like 10 times.

Many people understand that there is a connection between carbon pollution in our atmosphere and these warming temperatures. But it is becoming incontrovertible that these things are happening. The science behind this is rock solid. People say there are questions about the theory. No, No, there are not. There are questions about some of the complicated modeling that people go through. But the theory has been clear since the time of the American Civil War. The scientist, John Tyndall, determined that increasing moisture and carbon dioxide in the atmosphere had a blanketing effect that kept heat in, trapped heat on our planet. That has been basic textbook science for a century. It has never been controverted. It is a law, essentially, of science. Yet there are special interests who try to deny that.

Set against those special interests is about as unanimous a coalition from science as has ever been assembled. Virtually every prestigious scientific and academic institution has stated that climate change is happening, and human activities—specifically our reckless release of carbon pollution—are the driving cause of this change.

In 2009, there was a very clear letter, signed by the American Association for the Advancement of Science, American Chemical Society, American Geophysical Union, American Institute of Biological Sciences, American Meteorological Society, American Society of Agronomy, American Society of Plant Biologists, American Statistical Association, Association of Ecosystem Research Centers, Botanical Society of America, and on and on. Here is what they said in pretty darn hard-hitting words for scientists:

Observations throughout the world make it clear—

“Clear” is the word they used—that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver.

Not observations throughout the world make it “likely” that it is occurring, and not “potentially” indicates, and not the greenhouse gases emitted by human activities “might be” the primary driver. It is “clear” it has demonstrated that they are the primary drivers. They go on:

These conclusions are based on multiple independent lines of evidence—

Here is what we might call the sock-dolager—

and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

In a nutshell, if you are looking at the actual peer-reviewed science and being objective—if you are not putting your thumb on the scale—contrary assertions are inconsistent with that. You are basically making it up.

So that is a pretty powerful statement. The argument that the jury is

still out on climate change is a false and bogus argument. The jury is not out. In fact, the verdict is in. The effects are obvious. They surround us every day, and we need to take action.

I have been on the Senate floor with Senator FRANKEN before, and we have talked about this. He makes a wonderful point, which is that 97 percent of the climate scientists agree that this is happening, it is happening because of our carbon pollution, and we need to do something urgent about it.

Three percent question it. That is 97-to-3 odds. We are asked to avoid taking any action, not to worry about it because there is doubt and debate. Translate that to real, ordinary human life, not this peculiar political world we are in here.

Let’s say someone has a child, and the child appears to be sick. They go in to see the doctor, and he says: Yes, your child is sick, and she is going to need treatment.

They say: Yes, but treatment is expensive, and it might be unpleasant. I will tell you what, I am going to get a second opinion.

So then they go to another doctor, and he says the same thing—that their child is sick and will need treatment. They say: Well, two opinions are kind of a lot, but let’s just be sure and get a third opinion. That doctor says the same thing too.

What would we think of the parents who did that 100 times, who were told by 97 out of 100 doctors that the child was sick and needed treatment, and they said: You know what, there is doubt about this. I am not sure, so I am not going to give my child the treatment they need.

It is a preposterous example, isn’t it? It is an absolutely ridiculous point of view for the parent to hold. Yet that is exactly the point of view we are being asked to hold to deny and delay the steps we have to take to protect us, our children, and our country from the damage that is being done, frankly, by ourselves—the polluting interests that we don’t take adequate steps to put on the right track toward a successful and clean energy future.

The last thing I will say is on that exact point. The more we depend on fossil fuels, the more we depend on a diminishing resource that pollutes our country. It is a diminishing force that goes up under the laws of supply and demand, and in practice, and right now, forces us to engage with foreign oil-producing countries that do not have our best interests at heart. We send our dollars—hundreds of millions of them—into their treasuries so that money can filter out into organizations that actually wish to do us harm. That is not a great state of affairs.

The alternative is a clean energy future where American homes are more efficient. We have replaced windows and added insulation and improved boilers. We have created innumerable jobs through all that work, and we have paid for it with reduced energy

costs. It pays for itself. Sometimes it pays for itself in 1 year, sometimes in 2 years, sometimes in 5 years, but it pays for itself and it creates work.

We are in a battle right now for clean energy technologies. It is an international competition. It is us against China, us against India, us against the European Union. Every single one of the other countries gets it, and they are trying to push resources onto their clean energy industries so they can lap us in this race, so they can get so far ahead of us that we become the world’s biggest global consumer of clean energy, not its biggest manufacturer.

We invented the solar cell. Fifteen years ago, we made 40 percent of all the solar cells in the world. I think we are down to 7 percent now. The top 10 wind turbine companies in the world include one American company—one. And by knocking down the production tax credits, by eliminating the 1603 Program, by subsidizing Big Oil like crazy, people in this building are doing their very best not to help us in the race against foreign competition but to put weights in the pockets of American companies, to tie their shoelaces together, to interfere with their ability to compete. They do not see it yet as international competition. They are so tied to the fossil fuel industry that they only see it as competition between fossil fuels and clean energy, and in that battle they want to be with the fossil fuel energy. They do not see the future. They do not see how important these technologies are going to be in batteries, in wind, in clean energy, and in all these areas where we can not only command our energy future by building and creating the power we use and unhook ourselves from these foreign dictatorships that run off oil economies, but we can improve the future and the safety of our planet by dialing down the pollution.

My State pays a particular price. We are downwind of the midwestern polluters—the big utility companies, the big manufacturing companies, the ones that have built thousand-foot-high smokestacks for the specific purpose of shoving as much of their pollution as high in the atmosphere as they can so that it doesn’t rain down on their States—not on Missouri, Ohio, or Pennsylvania—but that it rains down on Rhode Island, on Massachusetts, on Vermont, and on other States.

I was here earlier this morning talking about the mercury rule. We have ponds and lakes and reservoirs in Rhode Island where it is unsafe to eat the fish you catch because of mercury poisoning. It is unsafe everywhere in Rhode Island to eat the fish you catch if you are a child or an expectant mother. Nobody can safely eat the fish you catch in these ponds because there is so much mercury in them. How did the mercury get there? How did the mercury get there? From pollution out of the smokestacks dumped down on our State. And there is nothing we can do to prevent it other than to support the EPA in these mercury-limit rules.

There is a real cost to continuing down this fossil fuel path. My home State pays it all the time. And when it comes time to reap the whirlwind of storm activity, of sea level rise, coastal States such as Rhode Island will pay a particularly high price.

I am going to continue to come to the Senate floor. This is not a popular topic. The Presiding Officer, Senator SANDERS of Vermont, is eloquent, articulate, and a constant ally on these subjects. There are a handful of us who are regulars on this subject, but I think a great many of my colleagues and virtually everybody on the other side of the aisle would just as soon wash their hands of it, forget about it, pretend it is not happening, and continue to sleepwalk toward disaster. So I will keep doing this. It is important to my State. I believe it is important for our country.

I appreciate the attention of the Presiding Officer and those who have the attention of the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WICKER. I ask unanimous consent to speak as if in morning business.

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

#### NATIONAL SECURITY LEAKS

Mr. WICKER. Mr. President, I rise today to express my serious concern about a matter of national security. It is a matter that is increasingly more visible with the American people. It is a matter that they are more and more concerned about as they hear more. It is an issue that is not going away until it is properly investigated by the executive branch of this government. That, of course, is the recent news publications that discussed details of counterterrorism plans, programs, and operations of our government. These publications refer to specific counterterrorism military and intelligence activities that are among the most classified and highly sensitive national security operations involving our military and our intelligence community. The leaks of this information constitute a grave breach of our vital national security interests.

The President, in his press conference last Friday, attempted to distance his administration from these damaging leaks, stating, "The notion that my White House would purposefully release classified national security information is offensive."

The matter is certainly offensive and needs to be fully investigated.

I must point out that the President did not explicitly deny that members of his administration were responsible for leaking classified or sensitive infor-

mation to the media. As a matter of fact, so many of the news reports, quite frankly, point to members of this administration for these damaging and criminal leaks.

Any mishandling of classified material must be taken with the utmost seriousness. The authors of these publications cite unnamed senior administration officials and Presidential aides as their sources. We need to know the names of these senior administration officials, we need to know the names of these Presidential aides, and we need to know, quite frankly, if they were engaged in criminal breaches of our espionage and intelligence statutes.

Our men and women in the military and our intelligence community officials work under extremely difficult conditions. These leaks have put their lives in danger. These leaks have put their methods and their ongoing operations at risk. They need to stop, and they need to be investigated.

All individuals privy to the White House discussions regarding counterterrorism and intelligence operations hold security clearances at the very highest levels. Before being granted access to these classified items of information, individuals must undergo a thorough background investigation and receive extensive security training regarding proper procedures for handling classified materials. They are trained as to what they can say and what they ought not to say. They are trained as to what the law requires and what the law prohibits. It is clear that any potential leak of classified material was not an accidental slip of the tongue but a deliberate and brazen violation of Federal law, and we need to get to the bottom of this.

I will also add that we are not talking about an isolated instance of a leak. As the chair of the Senate Select Committee on Intelligence, Senator DIANNE FEINSTEIN, rightly observed last Wednesday, we are talking about what she described as an "avalanche" of leaks—an avalanche of leaks—on national security matters that have, in her words, put our Nation's security in jeopardy, to quote the chair of the Intelligence Committee.

Quoting from the chairman of the Foreign Relations Committee, Senator JOHN KERRY:

A number of those leaks, and others in the last months about drone activities and other activities, are frankly all against national-security interests.

He goes on to say:

I think they're dangerous, damaging, and whoever is doing that is not acting in the interest of the United States of America.

Yet, news reports say these reports come from senior administration officials. We need to find out who these administration officials are.

Then, further to quote Senator FEINSTEIN, whom I began quoting earlier:

When people say they don't want to work with the United States because they can't trust us to keep a secret, that's serious. When allies become concerned when an as-

set's life is in jeopardy or the asset's family's life is in jeopardy, that's a problem. The point of intelligence is to be able to know what might happen to protect this country.

I could go on and on.

I have joined 10 of my colleagues in cosponsoring a Senate resolution that urges the U.S. Attorney General, Eric Holder, to appoint an independent special counsel to investigate classified information leaks by the administration. Yet instead of a special counsel, the Attorney General has merely appointed two Justice Department attorneys to investigate the leaks, U.S. attorney for the District of Columbia, Ronald Machen, and his counterpart in Maryland, Rod Rosenstein.

Although I have no question about their abilities, the appointment of these two Obama administration officials is unacceptable and raises questions as to their independence. A truly independent investigation would almost certainly reveal any breaches of the criminal law concerning classified information essential to national security. A truly independent counsel would have his or her own prosecutorial discretion. If the administration leaks such information, the public has a right to know and the public has a right to be outraged. The lives of Americans and our friends have already been put at risk. The Obama administration cannot be expected to pursue a complete self-investigation of allegations of this magnitude. In the midst of an election, they simply cannot be asked to do this, especially when those responsible could well be members of the administration themselves.

Attorney General Holder is a principal on the President's national security team. Members of this team may very well have been the sources of these leaks—members of the Attorney General's team. I wish to ask this: Does the administration want the truth in this or is the administration simply looking for cover? What is it about an independent special counsel that frightens this administration? Is it the truth this administration is afraid of? Are Americans more likely to get the truth from a truly independent counsel or from U.S. attorneys who will still report directly to the Attorney General?

The administration's concern about special counsels is understandable. If an independent counsel investigation reveals proof of leaks for political gain, it will not be pretty and will not sit well with the American people.

This Sunday marks the 40th anniversary of the Watergate break-in. It started small, but as more and more people began to ask questions and as more and more people began to demand a true investigation, the truth finally was revealed and it brought down a Presidency. Early on in Watergate, a member of my political party, a member of President Nixon's political party, a former nominee for President, Barry Goldwater, came forward to the

American people and said: Let's get the truth out. No more coverups. Let's get rid of the stink and let's find out what was going on.

Members of my party should have heeded the words of Barry Goldwater at that moment and perhaps the scandal could have been brought to light and people involved in the subsequent coverup would not have been asked to do so. Barry Goldwater was right.

Members of both political parties would be well advised to ask this administration to come forward, appoint a truly independent counsel to have a truly independent investigation of these breaches of national security. What I am talking about is evidence of criminal disclosures of national intelligence secrets, disclosures that have damaged our national security and continue to damage our national security. This issue is not going away. I urge the Attorney General, I urge my President, to ensure confidence in government, to appoint a special counsel to investigate and hold accountable anyone responsible for these flagrant violations of our national security.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from New Jersey.

#### JUDICIAL NOMINATIONS

Mr. LAUTENBERG. Madam President, I rise to challenge the obstinacy of our colleagues on the other side of the aisle to prevent us from doing anything that can help ordinary families in our country get back on their feet and succeed. As a matter of fact, it was very clearly stated by the minority leader, the Republican leader, to tell us that his No. 1 priority—imagine that, the leader of the Republican Party in the Senate, his No. 1 priority is to make sure President Obama is a one-term President. I ask, what good is that to the people who do not have jobs or the people whose mortgages are about to be foreclosed or their kids can't get an education no matter how smart they are because it is impossible to afford it? Imagine, stated proudly on the floor of this Senate, that the mission is to destroy the Presidency. Shame on him.

His No. 1 priority—not to create jobs, prevent another financial crisis or keep our children safe and healthy; it is just that cynical goal of destroying the Presidency, no matter how much harm, no matter how much pain these actions inflict on our general population. It is a disgrace.

We have seen what the Republicans are willing to do to accomplish this goal. They brought our Nation to the brink of default. They shut down the Federal Aviation Administration. They had to be dragged kicking and screaming to extend the payroll tax cut—just to name a few of the most egregious examples.

Now the Republican mission appears to be punishing the American people with longer waits in courtrooms for judgments to be concluded. There are

currently 74 Federal judicial vacancies waiting to be filled. In other words, nearly 1 in 11 Federal judgeships across this country is vacant. These vacancies are not some abstract problem only lawyers and academics care about. Judicial vacancies deny everyday Americans and businesses the justice and redress our Constitution guarantees. Millions of them have had their cases delayed. At a time when our economy is making a fragile recovery, we cannot afford to have a legal system that makes it more difficult for businesses to get legal judgment, certainty about their rights and responsibilities, to move their operations, for instance, to full gear, perhaps.

But now we have learned the Senate Republicans are committed to making matters even worse. Roll Call reports that at yesterday's weekly luncheon of the conservative steering committee, Minority Leader MCCONNELL decided to halt—stop all circuit court confirmations. How can our democracy function when we cannot even put judges in the courtroom?

The very next nominee in line to be confirmed for the circuit court is a highly qualified nominee from New Jersey and we need her on the bench now. Magistrate Judge Patty Shwartz has been nominated to serve on the Third Circuit Court of Appeals. Her nomination was favorably reported by the Judiciary Committee on March 8, nearly 100 days ago. They refused to let us take it up. For more than 3 months she has waited patiently for a confirmation vote. She is anxious to get to work and we need her, while the Republicans in the Senate play games with the confirmation process.

Now that Judge Shwartz is on the verge of receiving a vote and filling a critical vacancy, the Republicans have pulled the rug out to make sure she does not sit there. It is not fair to the judge—to Judge Shwartz or to the people of New Jersey, Pennsylvania, and Delaware who deserve to have a fully staffed Federal bench. It sends a particularly noxious message to the women of this country. If confirmed, Patty Shwartz would fill a void, and she would be only the second woman ever to represent New Jersey on that appeals court.

This obstruction is especially outrageous, given the record of skill, confidence and admiration Judge Shwartz has earned in the legal community. Her nomination has received strong bipartisan support in our State. Her supporters include Republican Gov. Chris Christie. He is a former U.S. Attorney of New Jersey.

He says:

Judge Patty Shwartz has committed her entire professional life to public service, and New Jersey is the better for it.

That is his statement. If Governor Christie and I agree on someone, you know she's really got to be good.

We are not the only ones who feel so strongly about Patty Shwartz's stellar qualifications for the bench. John

Lacey, who is the past President of the Association of the New Jersey Federal Bar, said that Judge Shwartz "is thoughtful, intelligent, and has an extraordinarily high level of common sense."

Thomas Curtin, chairman of the Lawyers' Advisory Committee for the U.S. District Court of New Jersey, said: "Every lawyer in the world will tell you she is extraordinarily qualified, a decent person and an excellent judge."

The American Bar Association clearly agrees. They gave her their highest rating of "unanimously well qualified."

A review of Judge Shwartz's experience shows why she has earned such respect and praise. Since 2003, Patty Shwartz has served as a U.S. magistrate judge in the District of New Jersey, where she has handled more than 4,000 civil and criminal cases. She graduated from Rutgers University with the highest honors, from the University of Pennsylvania Law School, at which she was an editor of the *Law Review* and was named her class's Outstanding Woman Law Graduate.

As Governor Christie said, Patty Shwartz has devoted her entire career to public service. Preventing her from doing so will only hurt the American people, people in our area, in Pennsylvania, New Jersey, Delaware. It will only hurt those people seeking justice and our very system of democracy. It has often been said justice delayed is justice denied. It is a lesson people in New Jersey and all over the country are learning and it has to stop. All Americans should be aware of the price they pay for the obstruction of the Republicans on their side of the aisle. When these confirmations are blocked, it is not just nominees who suffer, the justice system suffers under the weight of vacancies and the American people suffer longer waits for justice in overburdened courts. It is time for Republican politicians to stop blocking votes on those well-qualified nominees and allow the Senate to confirm them without further delay.

Make no mistake: I take very seriously the Senate's constitutional duty of advice and consent regarding Presidential nominees. I do not believe the Senate should rubberstamp judicial nominees without consideration or deliberation. However, what we see today is an unprecedented level of obstruction in confirming judges.

At this point in the term of President George W. Bush's Presidency, the Senate had confirmed 179 judges, 28 more than the 151 of President Obama's nominees who have been confirmed today. President Obama's nominees have been forced to wait approximately four times as long as President Bush's nominees to be confirmed after being favorably reported by the Judiciary Committee. When we had the numbers favoring our majority, we didn't permit delays like this. We would never use that as a punishment for a Presidency we disagree with.

As a result, the vacancy rate is nearly twice what it was at this point in

President Bush's first term. These delay-and-destroy tactics cannot be what our Founding Fathers had in mind when they gave us the power of advise and consent.

I am the son of immigrants who came to this country, and I got the message often from my parents and my grandparents to come to America and find a better way of life than they had in Russia or Poland, their birthplace. I view our justice system as the Nation's premier institution. It demonstrates so well what America is about.

I am proud that a courthouse in Newark, NJ, bears my name. It has an inscription that I authored. We spent a lot of time talking about the inscription and what it would look like. I came up with this: "The true measure of a democracy is its dispensation of justice."

When people walk into that courtroom, they have to know that they have an equal chance at a proper decision just like anybody else. There shouldn't be the discrimination that exists when we don't fill vacancies that are begging to be filled with qualified candidates. All in this Chamber know when the dispensation of justice is obstructed and delayed, our democracy suffers.

I plead with our Republican colleagues: Stop the obstruction, allow the Senate to vote on Judge Patty Shwartz's confirmation without further delay. Put off your attempt to discredit President Obama's tenure as President. That doesn't fit in here. If you want to do it in the political mainstream, and you want those wild gestures and those ridiculous claims that they want to destroy President Obama's tenure, don't do that. Don't do that to the American people. Be fair. Do your job, and let's get on with it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### STUDENT LOANS

Mr. REED. Madam President, we are running out of time. The interest rate on subsidized student loans is set to double in just over 2 weeks. This will hit middle-class families hard at a time when they are dealing with the devastating effects of the most severe recession that we have witnessed in our lifetime.

Earlier this week the Federal Reserve reported additional sobering news. Between 2007 and 2010, median family wealth declined by nearly 40 percent. Median family income declined by nearly 8 percent, and the share of families with education-related debt rose from 15.2 percent to 19.2 percent.

This is no time to increase the interest rate on need-based student loans on the more than 7,000 moderate and low-income students who rely on them to go to college. What we have seen is a middle-class that in terms of wealth and income has been shrinking dramatically. Ironically—perhaps not ironically—the very wealthy have seen

income and wealth increase. However, for the vast majority of Americans, they have seen their economic position deteriorate.

Closely allied with economic opportunity and the idea of making your way in this country is the necessity to go on to higher education. We have been preaching that. That is what our parents told us, go on to college. They said, when you go to college, you will be prepared to go into the workforce, increase your family income, contribute more to your country. Yet now we see a situation where not only is there a compression in middle-income wealth and income, there is also a staggering amount of student debt. It is almost \$1 trillion. In fact, I heard reports suggesting that it eclipsed credit card debt in terms of what households in America are holding.

There is a generation of college students who have graduated and are struggling with this debt. The worst thing we can do now is double the interest rate on those who need more loans to finish their school and put an even greater burden on them and their family as they go forward.

We need to pass this legislation that will prevent the doubling of interest on student loans, and we need to do it before July 1. We are looking at a period of time when interest rates are very low. The Federal Reserve is charging financial institutions somewhere around 1 percent or less to borrow money, and yet we are going to students and saying, the interest rate used to be 3.4 percent, now it will be 6.8 percent. That seems not only incongruous but incomprehensible, that we will allow the interest rate to double, particularly in this environment.

Students' families can't afford this increase. They are stretched too thin already. Every statistic—forget the statistics. Talk to people back home in New Hampshire or Rhode Island or New Jersey, and they will tell you it is tough. There are children who are moving back in with their families because they are struggling to find a good job so they can pay their student debt and get by. This is not the time to double the interest rate on these loans.

It is an issue of fairness. It is an issue of the future of this country. It is an issue of avoiding innumerable personal tragedies. We were just on a conference call when a woman called in and said she is involved with many students who have graduated in the last few years and they are literally at their wit's end that they can't pay their debts. They don't have jobs that will give them the chance to move on. They are saddled with debt. How will they even begin to think of starting a family and buying a home? That was something my generation sort of took for granted in their mid twenties. We have to deal with this issue. This is the first step.

According to Georgetown University Center on Education Workforce, over 60 percent of jobs will require some post-

secondary education by 2018. No longer is higher education some nice thing to do, it has become a necessity to get jobs that will provide for a family. Yet in 2010 only 38.3 percent of working-age adults have a 2-year or 4-year degree. So we know there is a gap already. We have 40 percent of people with a post-secondary education, and experts are telling us we will need 60 percent by 2018, and that is just 6 years away. And we are proposing to make it harder to pay for college? Again, it does not make any sense.

That is why last January, working with my colleague JOE COURTNEY in the House of Representatives, we introduced the Student Loan Affordability Act. We saw this coming. We knew we had to prevent this increase. Initially the response from our colleagues on the other side was, no way. In fact, they voted for two budgets that assumed the interest rate would double, therefore giving more resources for tax cuts and other preferences that certainly won't be as effective to help the middle class as giving a youngster a chance to go to college. But we continued to push. With the President and students and families and student organizations across the country, I think we have made some progress. We have seen at least a change in rhetoric.

Governor Romney said he was in favor of keeping the rates low. There has been no specifications on how to do this or urging on how to do this, but at least conceptually there seems to be agreement on that one point. The Republican leaders then followed suit saying, yes, we have to keep this interest rate from doubling. But we have not seen the actions to match these words.

They initially made a proposal to keep the interest rates low by going after preventive health care, and that is a nonstarter. I hope we all understand that, one, if we are going to improve the quality of health care in this country, we have to emphasize preventive care. By the way, if we are going to bend that proverbial cost curve, we better start to do more prevention than treatment because it is a lot more cost effective to prevent than treat disease.

Then they proposed another offset that would take resources from low- and middle-income families through various programs, taking from one pocket of a low- and middle-income family and giving it to them in the education pocket. That didn't work.

They continued to resist a proposal we made to pay for it because we do understand in this environment we have to be fiscally responsible. We proposed to close one of the most egregious loopholes in the Tax Code. There is a provision that allows high-paid lobbyists, high-paid lawyers, high-paid consultants to avoid their payroll taxes, Medicare taxes, and other taxes by forming a subchapter S corporation. At the end of the year they give themselves a dividend, which is not wages subject to these taxes, and is actually

treated at a very preferential tax rate. This is such an outrageous loophole that it was condemned by Bob Novak, late conservative columnist. It was condemned by the Wall Street Journal. It was condemned by everyone, but it was not something they could accept.

Well, we have moved forward. We have put a new offer on the table, led by Leader HARRY REID, and that would effectively help with respect to pension liabilities. First, it would give employers more predictability in terms of their contribution by allowing them to smooth out the interest rate which they assume in their contributions to the fund.

If you are trying to fund a pension liability over many years, you have to put in principal, but then you have to assume an interest rate to see if that principal will grow to an adequate amount. So the present law looks back about 2 years, and this is a remarkably low interest rate environment. So with low interest rates, they have to put more principal in. This way they could look much farther back, smooth it out, and take a more realistic interest rate that will reflect not just the last 2 years, which one would argue is very exceptional in terms of interest rates, but look at something that is more representative of the 25 or so years that they must provide for in their pension fund. In fact, this is a provision that employers think is very important to them.

The other side is to provide an increase of premiums paid to the Pension Benefit Guaranty Corporation, the insurance fund for defined benefit pension plans. Too often today the PBGC has to step in where companies go bankrupt and their pension funds are not adequate to pay for even part of the bona fide liabilities that they owe to workers, many of whom spent years in their employ and are depending on their pension.

This is a very balanced approach. It is an approach in the past that has had bipartisan support. I hope we are reaching a point now where we can come together. This is an incredibly difficult issue for families across this country.

I have heard pleas from Rhode Island families to fix this. I received letters and calls. One of them came in and said:

Please continue to fight for keeping the interest rate of Stafford loans down to 3.4 percent. It is difficult enough to pay for college. With unemployment so high for recent college graduates, our financial future seems bleak. My parents and I have taken loans to pay for my and my sister's tuition. We are from a middle class family. We appreciate your support and help with this issue.

Those words are more eloquent than mine.

Let's just get this done. We have no time to waste. July 1 is almost upon us. We have 2 weeks. Let's come together. Let's help people across this country and help our country.

Thank you, Madam President. I yield the floor and 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. The Senator from Wyoming.

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

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

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

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

#### THE ECONOMY

Mr. BARRASSO. Madam President, the President of the United States earlier today was in Cleveland. He spoke for 54 minutes, yet he said almost nothing—at least certainly nothing that most of us have not heard before.

It was 2 years ago this very weekend that the White House announced the start of what it referred to as the “recovery summer.” That campaign was an effort to convince the American people that the Obama administration's policies to create jobs were working.

David Axelrod, who was the senior adviser to the President, said at the time, talking about the summer of 2010, “This summer will be the most active Recovery Act season yet.” Again, that was the summer of 2010. Treasury Secretary Tim Geithner wrote an op-ed in the New York Times, and it was entitled “Welcome to the Recovery.” Again, that was 2010. Now here we are, 2 years later, and Americans are still waiting for a real recovery. The “recovery summer” failed to produce results because it was never more than just a cheap slogan. It was designed to hide the fact that an unaccountable administration had no real solutions.

Instead of working to create a healthier economy, President Obama has offered more excuses, more gimmicks, and more empty promises, and he continues to say the economy is about to turn the corner.

This past March President Obama said things would get better soon. “Day by day,” he promised, “we're restoring this economy from crisis.” We have heard this all before.

In February 2009 the President said his stimulus bill was “the beginning of the first steps to set our economy on a firmer foundation, paving the way to long-term growth and prosperity.”

In April 2010 he said, “Our economy is stronger; that economic heartbeat is growing stronger.”

In January 2011 he claimed that “the next two years, our job now, is putting our economy into overdrive.”

Now, after disappointing jobs numbers for May of this year, when just 69,000 jobs were created, the President once again promises that “we will come back stronger.”

It is a shame that our economy doesn't run on the President's rhetoric.

Saying that things will get better does not make them better.

Well, the President's record speaks for itself. For starters, we all remember early 2009 when the incoming Obama administration told the American people that its stimulus plan would keep unemployment below 8 percent. That is what they said—it would keep unemployment below 8 percent. Instead, we have now had 40 straight months, 40 consecutive months with unemployment over 8 percent. By now, unemployment was supposed to be even much better because the administration had said that by mid-2012—where we are right now, today—their projections were that unemployment would be below 6 percent if the stimulus bill passed. Well, the stimulus bill passed. I voted against it. Instead, unemployment has ticked up again in May to 8.2 percent.

Last month one official at the Federal Reserve said it might take 4 to 5 more years to get unemployment down to 6 percent, which is where the President promised it would be today. The latest jobs report also said that over 23 million Americans are unemployed or are working at less of a job than what they would like.

President Obama said the other day that “the private sector is doing fine.” He said that in a nationally televised press conference, that the private sector is doing fine. He went on to say that it was only government jobs that were lagging behind. Well, I think many of these 23 million-plus Americans who are unemployed or underemployed would absolutely disagree with this President.

Under the Obama economy, since early 2009 we have lost 433,000 manufacturing jobs; 79,000 real estate jobs have been lost; and 160,000 jobs in communications industries, such as wireless carriers, have been lost. We have lost 932,000 construction jobs. These may sound like a lot of numbers upon numbers, but behind each one of these statistics is a person—a homebuilder, a phone salesman in the mall, a real estate agent in our communities—real people who have lost the private sector jobs their families rely on to put food on the table, a roof over their head, and to help their kids get through school.

Many Americans have gotten so discouraged by the Obama economy that they have actually given up looking for work entirely. Those Americans who have not given up are finding it more difficult to get jobs. Even if they are trying to find a job, they are finding that their job search is taking much longer than they ever imagined. Over 5 million Americans have been searching for work for more than 27 weeks. That is over 5 million Americans who have spent more than half a year looking for work. The unemployed now spend an average of nearly 40 weeks looking for work—double the average when President Obama took office. That is the

equivalent of losing a job on New Year's Day and not finding work again until October.

So why are the jobs so scarce? Well, it is because President Obama's policies have done far too little to help our struggling economy, and in many cases his policies have actually hurt the economy and made things worse. Contrary to what President Obama believes, the private sector is not doing fine, and the problem is not just that we don't have enough bureaucrats.

Growth in America's GDP for the first quarter of 2012 was just 1.9 percent. That is nowhere near the level we need for a healthy economy. During past recoveries from economic downturns, other Presidents have presided over much faster growth. After the recession of the early 1980s, President Reagan's economy grew much faster. Well, there is a simple reason why, and it has to do with the policies coming out of this President's administration.

President Obama keeps repeating that we face economic headwinds. Well, the biggest headwinds we are facing come from the President's own economic policies. The American people understand this. They read the papers. Headlines such as the one from the Washington Post on Tuesday, just 2 days ago—"Families See Their Wealth Sapped." The American people read about the bad economic data saying that durable goods orders were down 3.7 percent in March. People know that when the manufacturing sector, which is an important source of jobs, slows down dramatically, it does not bode well for job growth in other sectors of the economy.

When people hear this drumbeat of bad economic news, it explains why the Consumer Confidence Index fell again in May. When we ask people if the country is on the right course, the majority say it is not on the right path. When we ask if they think the President is doing a good job with the economy, they say no, he is not.

Confidence is down not just because the American people follow the news and know what is going on in the country, it is because they also know what is going on in their own lives—what they are seeing at home and what they are seeing with their families. For many people, they are not earning as much as they had earned in the past. The median household income has fallen by over \$4,000 since President Obama took office. Meanwhile, the actual costs of everyday living continue to rise. More and more people every day are finding that for them and for their families, they just can't keep up.

Today there are more than 46 million Americans on food stamps. That is 14 million more than relied on the program in January of 2009 when President Obama was sworn into office. Sadly, the Congressional Budget Office expects the number to go even higher over the next 2 years. Well, that is obviously the wrong direction, and it is a result of bad decisions and bad policies

out of the President's administration. Those policies have contributed to the lower wages we are seeing, to higher unemployment we are living with, and to more people living in poverty. Those policies are contributing as well to the sagging home markets that threaten to keep millions of American families in dire financial straits for years to come. We all know President Obama faced a difficult economic situation when he took office in 2009. His failed policies have not healed our economy. Higher taxes, more bureaucracy, more borrowing, and more wasteful spending by Washington will continue to make things worse.

When we take a look at what is happening around the world, with Europe facing collapse and the global slowdown that threatens our economy, the President seems more concerned with his next election than with actually taking action to make things better. Alongside all the bad economic news, ABC News reported the other day that President Obama will continue his record-smashing fundraising schedule—record-smashing fundraising schedule. That is not the kind of leadership our economy needs today.

Republicans are focused on real solutions: making our Tax Code simpler, flatter, fairer for every American; reducing the debt and the deficit; ending overregulation, the redtape that is burdensome, expensive, and time-consuming; putting patients and doctors—their own doctors—in control of health care and not creating more Washington bureaucracy; and, of course, reducing our dependency on foreign oil and sending so much American money overseas.

Two years ago, when the Obama administration was putting out press releases and staging photo-ops to proclaim the "recovery summer," Republicans were proposing real solutions to help create a healthy economy. When voters had a chance to compare the two approaches that November—November of 2010—Republicans earned control of the House of Representatives, and at that time they started passing a jobs agenda.

Democrats in the Senate still do not get it, and they have refused to even consider these bills passed by the House.

There are 27 jobs bills that have passed the House of Representatives on bipartisan votes. The bills are still today waiting for Senate action.

The President of the United States remains silent on these bills that would actually get people back to work. He is offering nothing but scare tactics, excuses, and blame.

He gave another speech today—this very afternoon—in Ohio and what he did was more of that: more scare tactics, excuses, and blame. Because in his mind, it seems it is always someone else's fault.

Imagine where our economy would be today if Democrats had been willing to accept commonsense Republican solutions 2 years ago. We would actually be

in recovery today. We would have seen significant improvements to the economy. If Democrats had been willing to work with us, instead of giving speeches and pushing more wasteful stimulus spending, millions of more people would be working today across the country.

If President Obama had been focused on putting people back to work, instead of on keeping his own job, then today—today—in the summer of 2012, the private sector and the American people really would be doing fine.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleague for his remarks. I caught part of the President's statement this afternoon and have gotten a transcript of some of the things he said.

As ranking member on the Budget Committee, as someone who has wrestled very intensely with these numbers for 2 years, I was shocked, I say to Senator BARRASSO, by some of the things he said.

I would ask the Senator, based on the world we are in, how he reacts to the summary the Presidential adviser gave to the New York Times before the President's speech today, saying his plan "focuses on education, energy, innovation, and infrastructure."

First, does that suggest to the Senator spending?

Mr. BARRASSO. Madam President, I ask unanimous consent to enter into a colloquy with my colleague.

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

Mr. BARRASSO. Just talking about those things, isn't this the same President who lobbied this body, this Senate, to block the Keystone XL Pipeline that would have brought energy from our northern neighbor Canada to the United States, creating jobs on the ground here in terms of construction of that pipeline? So you are talking about energy, and you are talking about construction, and that was not government spending. Yet the President lobbied the Senate to block that.

Mr. SESSIONS. There would have been private growth and private investment—not an increase in our deficit.

But it goes on. In their summary of what the President was going to say, it said he favored a "tax code that creates American jobs and pays down our debt."

First of all, is the Senator aware that under the President's plan that he submitted to us—his budget—the lowest single year's deficit in the 10-year window is \$488 billion—that we never come close to paying down the debt in the plan he submitted to us? And how can the President—this is an unfair question, but I will ask the Senator from Wyoming—how can the President say he has a plan that pays down our debt when the lowest single deficit he proposes is nearly \$500 billion?

Mr. BARRASSO. I would say to my colleague, who is on the Budget Committee, who watches these things very

carefully, as I look at what the President proposed, it never got to balance, it never even addressed dealing with the large deficit, let alone the monumental debt. In the time we have been talking here in the last 4 or 5 minutes, we have continued to borrow money from overseas, specifically from China. We in the United States are borrowing at a rate of \$2 million a minute. Nothing I have seen coming from the President or from the Democrats, as a matter of fact, in the Senate has dealt with any of those things, to the point that we have not passed a budget for the last 3 years in this Senate, which is irresponsible.

Mr. SESSIONS. It absolutely is.

Let me say this, in his speech—this is a quote from the transcript I have of it—he declared:

Both parties have laid out their policies on the table for all to see.

Isn't it a fact that the House Republicans passed a long-term budget that would change the debt course of America and three Members of the Republican Senate laid out budgets that would have balanced the budget in the United States of America, and that the Democratic leadership never laid out a plan, refused to lay out a plan, and violated a law—the Congressional Budget Act—by refusing to lay out a plan? Isn't that true? Or am I missing something?

Mr. BARRASSO. Well, that is exactly the way I see it. And I voted for the plan that was submitted by the House, which actually does get to a balance of our budget, and the plans of three of our Senate colleagues from our side of the aisle whose plans also get to a balance of the budget. I voted in favor of all of those. But not one Democrat in the Senate—not one Democrat—cast one vote in favor of any one budget, whether it was a Republican budget, whether it was the President's budget. Yet the President goes to Ohio today and gives a speech for 54 minutes—and it was supposed to be a big speech on the economy—and I heard nothing new, nothing we had not heard before, no new ideas other than to spend more money, at a time when we are \$15 trillion in debt, and adding to that by the minute.

The President did make one interesting statement. He said some of the regulations that are coming out—he said all the regulations are not good. Well, who can do anything about it but the President; his regulations. And he has over 1,000 new regulations that have come out under his administration that are called economically significant regulations—regulations that have an impact to the economy of over \$100 million. Those regulations, all of that redtape is putting people out of work. It provides so much uncertainty to the economy as to what is the next regulation that is coming out, where businesses do not have the certainty to go hire people. What is going to happen with the health care law? Is it going to be found constitutional or unconstitu-

tional? I believe it is unconstitutional. What are the costs going to be to business?

In statement after statement that the President makes, it shows there is a fundamental question as to his understanding of how the economy works versus people who have been out in the private sector who have created jobs and have put people to work, who have written the paycheck, who have signed the front of the paycheck, who have hired folks and helped the economy in a community in a way that makes a difference and builds that community. Yet I do not see those things coming out of the President's speeches, certainly not today in Ohio.

Mr. SESSIONS. I thank my colleague for those insights because this is a bit disappointing. It is more than disappointing. The President said, again, that he has a plan, and he has a vision “of how to create strong, sustained growth,” and “how to pay down our long-term debt.” He does not have such a plan. His plan comes nowhere close to balancing the budget. In 10 years, the lowest single deficit he would have is \$488 billion, according to the Congressional Budget Office—not me, the independent Congressional Budget Office.

His statement is not accurate. How can we have a bipartisan discussion on how to solve the sustained debt threat we have in this Nation if the President goes around saying his plan will help pay down our debt? It does not pay down the debt. It does not come close to paying down the debt.

He said that last year, and I grilled his Budget Director at a Budget Committee hearing. He could not defend that statement because it is indefensible. Nobody can defend that statement. And I say to any Member of this Congress, this Senate—a Democratic Member—I urge you to come down and tell me if the plan laid out by the President of the United States—the only plan we have seen, his budget—pays down the debt. It does not.

He goes on to say in this speech:

I've signed a law—

Forgive me if this is distressing to me, but we have been involved in the discussion a good long time. We have the U.S. Congress, including the Senate, and we have the President of the United States, and we all have a role in formulating an economic policy for America that will put our country on a growth path to eliminate the unsustainable debt course we are on.

The statement cited so often from President Obama's own debt commission—Simpson-Bowles—is: This Nation has never faced a more predictable financial crisis. Why? Because of the increasing debt, they said. The numbers are relentless. It is unsustainable. That is what it means. At some point, it means there will be a credit reaction, a financial collapse, or a reaction that will put us back into recession and distress. They pleaded with us to get off the path we are on.

So the President says:

I've signed a law that cuts spending and reduces our deficit by \$2 trillion.

What does he mean by that? Well, I think most Americans can remember that last August we reached the debt ceiling. We borrowed so much money that we hit the limit of money the U.S. Government can borrow. The President asked Congress to raise that debt limit so he could keep spending and keep borrowing, and basically the Republican House and Members in the Senate—to the extent we had influence—said: Mr. President, we will raise the debt limit, but we want you to reduce spending some. So they agreed, after much debate, in the wee hours of the morning—at the latest possible time—to cut \$2.1 trillion in spending. The President went kicking and screaming to that point. The Democrats pretended it was a disaster and Americans were going to sink into the ocean. That is what that was all about.

Here we came with this plan, and the President now claims it is his deal, that he cut \$2 trillion. I remember how it went down, and that is not a fair thing to say. He signed that law because if he did not sign it, spending would have to be cut 40 percent immediately, because that is how much, out of every dollar we spend, we borrow. We are borrowing 40 cents of every \$1 we spend.

So if we had not raised the debt ceiling, the U.S. Government would have had to immediately cut all expenditures by 40 percent. That is why we are on an unsustainable course. It is not a little bitty matter.

The President suggests, if you listen to his speech: Don't worry about it. I have a plan. We are moving along fine. You do not have to sacrifice. We are going to have more education, energy, innovation, infrastructure. More spending—that is what that means. Investments, they say—that means spending. But we do not have the money. This country is out of money. This is a serious time. We have to make some tough decisions, and we need a Chief Executive telling the American people the truth about where we are, rather than promising some balanced budget and paying down debt when that is nowhere in his plan.

He says:

My own deficit plan would strengthen Medicare and Medicaid for the long haul by slowing the growth of health care costs.

He has steadfastly refused to reform Medicare and Medicaid. Under this \$2.1 trillion, the President insisted that Medicaid not receive a dime of cuts. And it did not receive a dime of cuts. The Defense Department gets a big time hammering under the cuts and the sequester. Medicaid—not a dime cut out of it. No reforms in Medicaid that would provide any benefit—anything other than to drive up the cost and increase the cost of Medicaid.

So how can he say that? And he has attacked Congressman RYAN, the chairman of the Budget Committee in the House, for actually laying out a vision to try to put Medicare on sound

footing, where it can actually be sustainable over time.

Congressman RYAN has the support of Senator WYDEN, a Democratic Member of the Senate. He has the support of Alice Rivlin who was President Clinton's budget director at OMB. Alice Rivlin basically agreed with the policy that Congressman RYAN laid out to save Medicare. What happened? The President called in Congressman RYAN and attacked him on the spot. They are still accusing him of having a radical scheme to destroy Medicare. Nothing could be further from the truth. It is a plan to strengthen Medicare, to save Medicare, and put it on a sound basis so that people working today can be confident that when they retire and become eligible for it, it will be there.

But we cannot create something from nothing. We have to have a plan that provides the funding for it. This is not smoke and mirrors. Nothing comes from nothing, I have to tell you.

One more thing. The President said, "I signed a law that cuts spending and reduces our deficit by \$2 trillion."

Well, he was forced into signing that bill. Did he really want to sign it? No, he did not. We all know that. Anyone could tell that from reading the newspapers and how the negotiations went. Our big spenders resisted that dramatically.

How much is \$2 trillion over 10 years? We planned to spend \$37 trillion over 10 years, increasing the debt by about \$10 to \$11 trillion. This would have cut it from \$37 trillion being spent to \$35 trillion being spent. It meant we would have increased the deficit by only \$10 to \$11 trillion, I guess. Not nearly enough, but at least some step toward reining in soaring spending.

So the President bragged on that just a few minutes ago. He is bragging about it. What is the real truth? The budget he submitted eviscerates that agreement. The budget he submitted in February of this year—5 months after the agreement last August—would wipe out the entire sequester, would eliminate \$1 trillion in cuts, and add more spending.

In fact, he would add, under that plan, \$1.5 trillion more in spending than the Budget Control Act agreement he is taking credit for signing would have allowed to be spent. This is not a matter of dispute. This is a fact. The budget he has submitted wiped out more than half of the cuts that were in that agreement, and he had big tax increases, about \$1.8 trillion in tax increases. So \$1.6 trillion more in spending than we agreed to just last summer, and \$1.8 trillion in more taxes.

Tax, spend. Tax, spend. That is this President's philosophy. If he wants to stand for that, campaign on that, run on that, well and good. Be honest with the American people. But do not come in and take credit for things he resisted. Do not come in and take credit for budget cuts that he proposed to eliminate. How can we have a bipartisan discussion to try to reach an

agreement on what to do about the unsustainable course we are on if the President is going out and saying things that are not connected to reality? I think it is irresponsible. I really do.

I do not see how a President of the United States could possibly not spend a great deal of time with the American people explaining to them why we are all going to have to tighten our belts, that we do not have the money we wish we had, that we are going to have to do this. Is there some sort of political fear that big spenders will ultimately get caught if they tell the truth about how much debt their big spending has caused the country, so they just have to pretend it is not so?

Well, they said President Bush had big debt. He did spend too much money. I criticized him some on that, and none of us are perfect in this Congress. We all voted for things probably we should not have.

The largest annual deficit that President Bush ever had was \$470 billion. That is big. It is a lot of money.

President Obama's deficits have been \$1.2, \$1.3 trillion all 4 years he has been in office, more than twice President Bush's deficits. He has been in office now 4 years. In the plan he has laid out, even assuming our economy continues to grow—as we assume in these budget analyses—he does not come close to balancing the budget.

Every year we are adding hundreds of billions of dollars more in debt. The lowest single year in his 10-year plan would add \$488 billion more to the debt. According to the Congressional Budget Office, the interest on the debt soars. The largest single increase in spending is interest.

Interest last year was \$225 billion on the debt, and in the 10th year of the President's budget the Congressional Budget Office projects that the interest in that 1 year—10 years from now—will be \$743 billion, exceeding virtually every item in the government including the Defense Department.

This is not healthy. In May, at a fundraiser—he is going to a lot of those, but sometimes, somebody has to stay home in Washington and bring this wasteful spending under control. He was at a fundraiser in Denver and he said, "I'm running to pay down our debt." He said: I am running to pay down our debt. Do not worry. Let me. I am going to pay down our debt.

Well, that is just not what the numbers show. No plan has been laid out other than his budget: to tax, spend, and keep the debt on the same level we were on if he had no changes at all in the budget situation.

I am not happy about this. It is very distressing to me that this Nation is facing a financial crisis. We are all going to have to recognize we do not have the money that we would like to have to spend as we would like to spend. I told some people this morning at a breakfast/luncheon, a group from the Air Force Association, that the de-

fense people needed to know we do not have the money. We do not have the money. For years we are going to have to be tightening our belts.

But we can work our way through it. We can do the right things. Who knows, by producing efficiencies and encouraging productivity, we could get our country on a healthier course than we can imagine at this point. I actually think we could. But we have to be honest about the situation. We have to have somebody who stays in the office for a while and actually drives the restraints in spending and insists that every Cabinet Member, sub-Cabinet Member, GSA person going to a resort in Las Vegas who is spending the taxpayers' money, that they do it with restraint and that wasteful actions are eliminated.

That is the kind of leadership we need, and the American people need to be told, and we all need to understand, we just do not have the money we wished we did. So we will have to alter our spending levels for a few years, get this country on a sound path, and create confidence. That will come when the world knows that we have gotten off the unsustainable debt path and gotten on a path that is sustainable, are set on a sound path, a path that leads to prosperity, not a path that leads to debt crisis and decline, but growth, prosperity and freedom. That is what it is all about.

Forgive me if it is irritating to me. But I did conclude, after today's speech, that the President has made a decision that he is going to run to November. He is going to run on the fact that he is reducing the debt. That is what he has apparently said. "I'm running to pay down the debt" is what he said in Denver. He repeated that again today. So that has to be confronted.

If I am wrong, I ask any Member of the Senate to come forward and show me what in the President's plan leads to any conclusion that he has laid out a plan that would pay down the debt of the United States. I do not see it. I do not think it is close.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### WORLD WAR II VETERANS

Mr. BAUCUS. Mr. President, George Washington once said:

The willingness of future generations to serve in our military will be directly dependent upon how we have treated those we have served in the past.

Tomorrow, 95 World War II veterans will fly from Montana to Washington to see their memorial with their own eyes for the first time.

This trip is made possible by the Big Sky Honor Flight Program. Their mission is to recognize American veterans

by flying them to Washington, DC, to see their memorials at no cost.

These veterans, and the volunteers who helped send them here, say a lot about what makes the United States of America the greatest country on Earth.

Who are these veterans? Their average age is 90. They hail from all parts of our State—from Plentywood to Superior, from Miles City to Libby, and many places in between. Each veteran has a story to tell.

Shortly after the attack on Pearl Harbor, Bill Smith left his job as an accountant in Billings and volunteered to fly B-24 Liberator bombers with the 466th Bomb Group.

Bill went on to fly 30 missions over Europe from 1943 to 1945. He rose through the ranks and eventually took command of an entire crew.

On a typical day, Bill and his crew would rise at 4 a.m., eat a quick breakfast, and receive a mission brief. As crew commander, Bill was responsible for seeing to it that the bomber safely navigated enemy airspace, accomplished its mission on time and on target, and returned to base safely.

Bill's B-24 flew at 22,000 feet in subzero temperatures in nonpressurized cabins. Think about that. We are not talking about the cozy airplane cabins you and I are used to today. We are talking about open air, very loud and very cold cabins.

Imagine, if one can, doing all that with Nazi fighters on your tail. In one instance, incoming enemy fire shot the oxygen mask right off the face of one of the gunners on Bill's crew.

Bill is 96 now. When asked about his service, he said:

I am proud of what we did. I know we hit a lot of targets. That's what we were there for. We weren't there for a joy ride.

In March, I had the privilege of meeting Del Olson from Billings. Del was born and raised on a farm in Rapleje, Montana, which is a very small town.

In 1944, Del joined the Women's Army Corps as an airplane mechanic. The Women's Army Corps was the first female unit, besides nurses, to serve within the ranks of the U.S. Army. They were patriots and trailblazers. Similar to all trailblazers, their service didn't come without controversy.

Del didn't let the controversy get in the way of her mission. She dedicated herself to fixing up bomber aircraft in Texas, which was her job, including the B-24 Liberator that Bill Smith was flying over Europe.

Later in the war, Del moved to Bakersfield, CA, where she worked as a nurse caring for the countless wounded warriors.

Now, at age 92, when you ask Del about her service, she will tell you, "I didn't do much during the war. Others did so much more."

Del's humility is a testament to what real selfless service looks like. When Del visits the World War II memorial, she plans to pay her respects to those who made the ultimate sacrifice during

the war. Del said she will think of her brothers, of her sister, who all served under General Eisenhower in Europe. She especially wants to honor her first and second husbands, both of whom served in the South Pacific during the war.

I met with Del and talked with her about coming to Washington, DC, on the Honor Flight. She is such a special lady.

When I talked to her, I said: Boy, Del, we have to make sure we raise enough money so you get a seat on the plane.

She said: Oh, no, no, not me. There are others who are so much more deserving than I am. Not me.

That is exactly the kind of selfless attitude she and others who served in World War II have. But she now has a seat. She will be back here in Washington, DC. The first event is tomorrow night, with a service earlier at the memorial tomorrow.

But Honor Flights just don't happen automatically. It takes work—a lot of work. Kathy Shannon, Beth Bouley, Tina Vauthier, Chris Reinhard, Vicky Steven, Yellowstone County commissioner Bill Kennedy, and countless other volunteers have all been instrumental in organizing Montana's first Honor Flight. Students, friends, neighbors, and businesses pooled together more than \$150,000 to make this happen. In today's tough times, when families are struggling to make ends meet, pooling together that kind of contribution is no small feat.

This will be the first Honor Flight from Montana, but I know it won't be the last. I know because I have seen the passion and dedication of these volunteers firsthand. In March I had the incredible opportunity to pitch in by serving burgers at a fundraiser in Billings. It was a lot of fun. It was very inspiring seeing all these folks, inspiring to see our young Montanans demonstrating their spirit of service. For example, students from the Huntley Project Schools raised an amazing \$2,425 to make this flight happen—just kids. In the process, they learned a valuable lesson about the sacrifices that made it possible for them to grow up strong and free in this country.

This Honor Flight visit is larger than just a thank-you to our World War II veterans. It shows the commitment we Americans consider a sacred obligation to all our veterans—to those who served on the frozen battlefields of Korea, to the jungles of Vietnam, to the deserts of Iraq, and to those who on this very day are fighting in the mountains of Afghanistan. So I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend. And a special thanks to all 18,000 World War II veterans living in Montana. We are forever grateful for your service and your sacrifice.

I might add, Mr. President, that as we honor our veterans, especially those who served during World War II, it is a good reminder to all of us here who as-

pire to public service. In many cases, these veterans put themselves in harm's way, sacrificing themselves for their country, so the very least we can do here in the Senate is to remember our veterans who sacrifice so much, remember our Armed Forces today who serve us so well, and at the very least we should work together as a Senate, as a Congress, to solve the problems ahead of us and not be so partisan and so divisive, which is clearly not a public service.

#### CITIZENS UNITED

Mr. President, before I conclude, I also would like to say a few words on another important topic impacting our democracy; that is, the freedom of a people to choose their own elected representatives.

Today, the Supreme Court is considering a challenge to Montana's 1912 Corrupt Practices Act. One hundred years ago, Montanans said, in passing legislation, that elections should not be bought by the Copper Kings. Who were the Copper Kings? They were basically three very wealthy corporate titans trying to control copper production in the State of Montana, and they virtually controlled our State. Montanans said: No, elections should not be bought by copper kings or by any corporation. Today, we in Montana say the same thing.

Unfortunately, the Supreme Court's 2010 decision in Citizens United cleared the way for unlimited out-of-State corporations throughout the country. I applaud Montana's attorney general Steve Bullock for sticking up for Montanans as the Supreme Court takes a closer look at this case. I have introduced a constitutional amendment to limit corporate campaign expenditures, and I have supported every piece of campaign reform legislation that has come before me.

As the Supreme Court looks at Montana's 1912 Corrupt Practices Act today, it is my hope that Montana can continue to lead the Nation in saying that elections belong in the hands of the people, not out-of-State foreign corporations.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### IMPROVING THE ECONOMY

Mr. CARPER. Mr. President, a week or so ago, I was being interviewed by CNN. I think it was a couple days after the jobs report had come out for the month of May. The reporter who was interviewing me was commenting on those job numbers—which I think were disappointing to all of us—and asking me if we were back in the soup, were we heading back into a recession. Instead of continuing to recover from a

really deep, awful recession, an awfully hard, tough recession, would we go back into the soup? And I said to her that I know there are people in my State and across the country who are still hurting, still suffering. People have lost jobs, and in too many cases people have lost their homes and are fearful of losing their health care and not being able to maybe send their son or daughter back to school. And I said that I realize we still have more pain in our country, more than any of us would like.

But, I said, maybe there are four things we should keep in mind:

No. 1, let's not talk ourselves back into a recession, which we have the ability to do. Our hair is not on fire. Let's continue to make sure we are looking at the underlying fundamentals of the economy, and while they are not universally up or upbeat, the underlying fundamentals are not entirely bad either. Our energy costs are way down. We are not just the Saudi Arabia of coal, we are the Saudi Arabia of natural gas. We are now a net exporter of oil, and we are seeing significant reductions over the last half-dozen or so years in our dependence on foreign oil, from about 60 percent of the oil we use being from foreign sources to approaching 40 percent. So the movement is right.

Another underlying factor is the cost of health care in this country. For years we have seen double-digit increases in the rate of health care costs in this country, and last year health care costs in this country rose by only 4 percent. That is a positive factor as we try to be more competitive with the rest of the world.

Another factor is the difference in labor costs between our country and other countries with which we compete, one of them China and another, believe it or not, Vietnam—a very low-cost producer of manufactured products. What we have seen in those other countries—Vietnam, China, and some of the other Asian countries—is that their wage levels have come up, and our wage levels in this country have pretty much remained the same. As a result, the inducements for companies here, particularly manufacturing companies, to move offshore their manufacturing operations have diminished from where they were a couple of years ago.

I think those are all encouraging factors, again, to lay the groundwork for a sustained economic recovery, if our friends in Europe can work their way through, navigate their way through their problems in places such as Greece and Spain. So it is not all bad news. It is not all bad news.

In the near term, what should we do? Again, No. 1, not talk ourselves back into a recession. No. 2, prepare to hit a home run. From a guy who likes baseball a lot, we need to hit a home run. I don't think we will hit a home run here in this Chamber, in this building, in this city before the election.

But the best thing, in my view, we can do for the economy is to adopt a bipartisan, comprehensive deficit reduction deal, much like that proposed by the deficit commission led by Erskine Bowles, former Chief of Staff to President Clinton, and by former U.S. Senator from Wyoming, Republican Alan Simpson—the so-called Bowles-Simpson Deficit Reduction Plan. That plan provides for \$4 trillion to \$5 trillion in deficit reduction over the next 10 years—\$3 on the spending side for every \$1 on the revenue side. That actually lowers both corporate and individual tax rates. It lowers the rates and bottoms the base of income that is taxable, eliminating half of our so-called tax exemptions, tax breaks, tax deductions, tax credits, and tax loopholes.

That is how we end up with lower rates both on the corporate and individual sides, and also actually creating revenue: \$1 for every \$3 of spending reduction. That is a home run. I don't know if we are going to hit that home run before the election, but sometime between the day after the election and, hopefully, by the end of the year we will adopt something similar to that and provide certainty: One, can we govern? Yes, we can. Two, can we be fiscally responsible? Yes, we can. Three, can we provide certainty with respect to our Tax Code? Yes, we can. I think the adoption of that kind of plan answers all those questions with, yes, we can. And we are.

But while we prepare to hit a home run, I don't think we ought to wait around until the end of the year to do something. In the meantime, we need to hit a lot of singles. So rather than hitting a home run with runners on base, let's see if we can't hit some singles and maybe some doubles and score some runs for the economy.

I spend a lot of time, as my colleagues will tell folks, on how to create a more nurturing environment here for job creation and job preservation. How do we do that? Our friend, John Chambers from West Virginia, a native of West Virginia—as am I—who now heads up Cisco, a big technology company, likes to say the jobs of the 21st century will go to those States and those countries that do two things especially well: One, a productive workforce—students who can read, write, think, do math and science coming out of our high schools, coming out of our colleges and universities, into the workforce; and, the States and nations that do another thing very well; that is, create a world-class infrastructure; broadly defined, roads, highways, bridges, transit, rail, port, airports, waterways, water treatment, broadband—all of the above, broadly defined infrastructure.

In addition to that, there are a number of other things we can do to provide a nurturing environment, and they include cost-effective regulations, commonsense regulations, access to leaders like us.

Another positive development in job creation and job preservation is access

to capital, the ability to actually borrow money for businesses, large and small, at reasonable rates; the ability to export into foreign markets and to get financing for those exports if they need it; incentives to do basic research and development that actually can be commercialized and create products that we can sell around the world. Those are some of the things that actually contribute to a nurturing environment—not all, not the only things, but some of them.

The other thing that we can do in terms of hitting singles and doubles is some things that we have done in this Chamber this year, and I want to mention a few of those. They include actually doing something about our aviation infrastructure.

When we passed the Federal Aviation Administration reauthorization earlier this year, we not only provided for a source of revenues—provided by the general aviation community and the civilian airlines here, the sorts of revenues to upgrade, modernize, and improve airports—but we also provided money to bring an analogue air traffic control system into the 21st century, arguably a digital system. So that is one in terms of a more nurturing environment.

No. 2, I actually said the idea that in the past, if someone comes up with an idea—like this young woman who is typing down my words on the floor today. If she comes up with a good idea and goes to the Patent Office—in the past she could go to the Patent Office and say: I have a great idea—maybe for a better machine than the one she is taking down my words with here today—and she files for a patent on that machine. A year later, I show up at the Patent Office and say: No, that was really my idea, and I thought of it first. She just filed first, but I really had it first. I end up going and litigating with her, and it may string out for months, years, and provide a lot of uncertainty. I don't have a patent, but I just want to be bought out and basically paid off. Maybe I had the idea first, but in a lot of cases I didn't, and I want to be given something of financial consequence so I will go away.

We have changed that with the law we passed here and the President signed that says: Whoever files first—if she files first for that new machine, it is her patent. It is an important thing for us to do with respect to providing certainty for innovation and creativity.

Another thing we did that I think is a smart idea is we said: We are having a hard time selling our goods and services in places such as South Korea, Panama, Colombia, and a lot of other places around the world. We negotiated in the Bush administration—with George W. Bush—and further in the Obama administration, free-trade agreements with South Korea, Panama, and with Colombia. They have been approved by the Senate, agreed to by the President, and they are now the

law of our land and the lands of those free countries.

What does it mean for us and South Korea, a place where they sold to us last year 500,000 cars, trucks, and vans; a country we sold 5,000 cars, trucks, and vans to? That is going to change, and their ability to keep our vehicles out will phase out over time, and we will have the opportunity to sell our vehicles there just as they have the ability to sell their vehicles here.

We will have the ability to sell poultry products. We raise a lot of poultry on the Delmarva Peninsula in Delaware. We will have the ability to sell poultry products into countries such as Panama and Colombia without impediment and tariff barriers to keep them out.

So the idea to provide better access to foreign markets, we have done that at least with respect to those three, and we are trying to negotiate now something called the Transpacific Partnership, which would allow a number of countries in this hemisphere—including us and maybe Chile and a couple other countries south of us, maybe even Canada and Mexico—to create a trading partnership with countries such as Malaysia, Australia, New Zealand, Vietnam, and a couple of other countries over there.

I am told the Japanese are interested in being part of that as well. That could be an enormous new global partnership that would enhance trade between all the countries that are a part of it.

Another piece of legislation for a single that we have hit over here is something called the JOBS Act. You may recall that IPO onramp—initial public offering—for changing the shareholder threshold, raising it from 500 shareholders to 2,000, something I worked on. The IPO onramp will make it easier for companies, if they want to go public, to do so.

JOHN CARNEY, a Congressman from Delaware, worked on that in the House and did a very nice job. But that is legislation endorsed by the President, supported by Democrats and Republicans, now the law of the land—another single, maybe a double, I don't know—where middle-sized companies and smaller companies that want to grow either remain privately held or become publicly traded.

Other potential singles and doubles are the postal legislation that Senator LIEBERMAN, Senator COLLINS, Senator BROWN, and myself and others have worked on to try to save the Postal Service, which is losing \$25 million a day in the 21st century. We have a pretty good idea on how to stem that hemorrhaging and how to help them help themselves become sustainable again in a break-even operation. That legislation, a bipartisan bill, passed the Senate and was sent over to the House awaiting action. We need for the House to take up that legislation. If they do, that is something that can help save and preserve 7 to 8 million jobs and affect a significant part of our country.

Another potential double—maybe even a triple—is transportation legislation and the 2 or 3 million jobs that flow from that. A lot of transportation projects in my State and 49 other States are literally grinding to a halt because of the inability, in this case, of the House to agree with bipartisan legislation that we passed in the Senate to fund and to go forward with transportation projects in all 50 States that nobody is arguing with. They are not bridges to nowhere. They are actually smart ideas, and a lot of them involve State funding as well, but they need some Federal help.

We passed it in the Senate, and the House has sort of gone to conference with it. But we are having a tough time getting to yes. If they do, that is a double or triple with runners on base, 2 to 3 million jobs.

Those are things that we can do to actually enhance and nurture the environment for economic growth, for job creation, job preservation in this State.

There is one more single or double I want to talk about, and it is the agriculture legislation. We have an agriculture bill that has been brought out of committee by a big bipartisan vote. It would enable us to do what I think we need to do in a lot of areas of our government; that is, get better results for less money. I like to say in everything we do, everything I do, I know I can do better. I think the same is true of my 99 colleagues. I believe that is true of most Federal programs. One of our challenges is to figure out how to get better results for everything we do.

Today we had a very interesting hearing on the Medicaid Program and how to get better results for less money with respect to Medicaid and how we reduce improper payments—mistakes and so forth—and how we reduce fraud losses, which are about 10 percent of what we spend in Medicaid and Medicare. But a recurring theme for me and for the subcommittee I lead on Federal financial management in the Senate is how do we get better results in almost everything we do for less money or better results for the same amount of money? That is not a Democratic idea, it is not a Republican idea, it is not a liberal idea or a conservative idea. It is just a smart idea.

In a day and age of these trillion-dollar deficits—and deficits are coming down, but it is still too high. While we wait to do that big deal, hit that home run with something like the Bowles-Simpson Deficit Commission recommendation later this year, we need to continue to hit singles in terms of reducing spending taxpayers' money in a smart and more cost-effective way.

That brings us to the legislation that has been before the Senate this week, and that is the Agriculture bill. Believe it or not, in Delaware, our little State, we have 300 million people in about 100 miles from one end to the other, north-south, right here on the Mid-Atlantic between Washington, DC and New York

City. For us, agriculture is still a big deal. We don't have a lot of cows—we have some. We don't have a lot of hogs—we have some. What we have a lot of is chickens. We have a lot of chickens.

For every person who lives in my State, there are 300 chickens. As you go from north to south, the chickens have us outnumbered even more than 300 to 1.

Eighty percent of our agricultural economy in Delaware is poultry related. The poultry industry doesn't need a lot or ask for a lot in terms of support or investment from the Federal Government. But we raise a lot of corn and soybeans in Delaware, and so we care about agriculture and we care about the farm bill. Other parts of the country care about it even more, maybe, than we do. But I want to talk about it for a few more minutes before I head back to my office.

I am here today to say that the farm bill that has been before us this week, when compared to the ones that have come before it in recent years, makes great strides toward reforming a process that was too often—and I think rightly—criticized as regressive and, unfortunately, wasteful.

All told, the bill that has been brought to the floor—a bipartisan bill. Great kudos to the chairman of the Agriculture Committee in the Senate, DEBBIE STABENOW of Michigan, and the Ranking Republican Senator, PAT ROBERTS from Kansas. They have done great work in steering this legislation through committee, again with strong bipartisan support, and bringing it to the Senate floor, saving the Federal Government almost \$24 billion over the next 10 years compared to what we would otherwise be spending under current law.

The legislation eliminates wasteful spending by getting rid of the so-called direct payments program, which too often gave money to farmers even when farmers didn't grow anything or even own the land. But I think the bill is also humane, and this legislation is not unfair to our farmers. I believe it embraces the Golden Rule of treating other people the way we want to be treated, and that includes farmers and farm families and taxpayers.

But instead of continuing the direct payments program that has prevailed for years, this legislation institutes a new crop insurance program, a long sought after goal by those of us wanting to make progressive changes to farm law.

Instead of giving money to farmers who, again, sometimes don't grow even a single crop in a year, this legislation only helps farmers when they actually experience a loss on the crops they are actually growing.

For a lot of people in this country, that would just sound like common sense. But in Washington, DC, and across the country, it is an uncommon approach to farm legislation. This is a much smarter approach.

In the end, the new crop insurance program, the Agriculture bill before the Senate this week, still would give farmers the security they need to continue farming. There is a lot of uncertainty in farming. Is it going to rain? Is it going to be cold? Are we going to have hail? Are we going to have drought? There is a huge amount of uncertainty, and it is important for us—to the extent that we can reasonably do that—to reduce uncertainty and lack of predictability for all kinds of businesses. It is hard to do that. We don't control the weather; we don't control the temperature—well, indirectly maybe. But to the extent that we can help provide some certainty, security, and predictability for the farmers at a lower cost to the taxpayers, we ought to do that.

I think this committee has pretty well thought that through and figured out a way to do crop insurance—an old program—with a new approach, a smarter approach that is good for farmers and, I think, good for taxpayers.

Another thing this legislation focuses on is nutrition and how we can encourage farmers to grow and people to eat more healthful foods as part of their daily diets.

We live in a country where, sadly, one-third of the American people are overweight or on their way to being overweight, and maybe on their way to being obese—about one-third of us. The trend is not good.

In terms of cost for health care, it is killing us: Medicaid costs, dialysis, diabetes, hospitalization, loss of limbs, loss of eyesight, and for our ability to fund Medicare, again, the same kind of challenges and hardships in the ability for us to compete with the rest of the world when we are so much heavier than they are. We know the four major cost factors in health care are, No. 1, weight; No. 2, tobacco; No. 3, high blood pressure; No. 4, high cholesterol. If we could do a better job on all those fronts, we would be off to the races on our health care costs. We are making some progress bringing health care costs down.

Believe it or not, this agricultural legislation is part of the solution because it, among other things, encourages us to eat a diet that is more healthy for us. This bill doesn't mandate what people eat, but it helps to encourage and provide ways to make healthier foods available, nutritious foods available in places such as health deserts. There are some communities, some cities around the country, where the only grocery store they have in their community is a convenience store. There is nothing wrong with convenience stores, but if that is the only place one can buy fruits and vegetables, and they don't have them—maybe bananas if one is lucky—that is not good.

This effort, along with the First Lady Michelle Obama, will be reducing those food deserts. It includes support

for programs that help farmers produce fruits and fresh vegetables. In our State, we raise not only corn and soybeans, we raise a lot of fruits and vegetables, most notably watermelons, but we do a few lima beans and other products as well. We grow most of those in the summer, some in the fall and the spring, but we will be able to bring it to market in ways that benefit farmers and consumers and also support programs such as Farm to School, where we actually bring fresh fruits and vegetables from our farms to schools to feed our students.

We also talk a lot around here, as my colleagues know, about reducing our dependence on foreign oil. As I said earlier, dependence on foreign oil in this country has dropped from about 6 years ago; a half dozen years ago, 60 percent of our oil was from foreign sources; now we are turning down toward 40 percent. We hopefully will be there in another year or two. But this legislation, the agriculture bill, actually helps move us in that direction where we are lessening our dependence on foreign oil.

It includes legislation I joined Senator STABENOW in introducing earlier this year that would support the expansion of products made in country from bio-based material, such as the renewable chemicals made from plant material which can be used to displace petroleum and our plastics.

The DuPont Company, which is a major employer in our State—frankly, one of the great companies in this country for the last 200 years and around the world—does great work, exciting work not only in figuring out how to use corn, get more yield off an acre of land—as much as 300 bushels off an acre of land. Thirty years ago, a farmer was doing good if an acre was getting 50 bushels. Now DuPont has these experimental farms where they are getting 300 bushels off an acre of land, so we can feed ourselves and fuel ourselves. Not only that, we can take the corn—the cornstalks, the leaves, the corncobs—and turn that into cellulosic ethanol. We can also take the by-product of some of the vegetables and some of the plants we are raising to create carpeting, as attractive as the carpeting in this Chamber, and clothing. One of the great growth businesses for DuPont, at least, is using plant life to create carpets and not to have to depend on petroleum to do that. It is very exciting. It reduces our dependence on oil, particularly on foreign oil.

It also creates new jobs in communities across our country, including my State and I suspect including Minnesota, where our Presiding Officer is from.

Another key investment this bill continues, although it is at a somewhat reduced Federal level from what we saw in the 2008 farm bill, is the agricultural bill's investment in conservation. Conservation and the preservation of agricultural lands are the key to the future of agriculture in every

State but are especially important in a little State such as Delaware. These investments are also particularly critical to regions such as the Chesapeake Bay to our west, which Delawareans and Marylanders and Virginians especially are working hard to restore and to protect.

I might mention, if I could, in terms of conservation, we had a big problem in our State. People like to come to Delaware. We have great beaches, Cape Henlopen and Lewes and Rehoboth and Dewey and Bethany on down to Fenwick Island. People come to our State a lot of times because they want to retire there, maybe have a beach house in the summer and then decide they want to live in Delaware. We have had a lot of demand for housing in the southern part of our State crowding out some of our agricultural land. We are concerned about what does that do for open spaces and preserving our agriculture land.

When I was privileged to be Governor, initially proposed by Mike Castle, our previous Governor, we wrote a program to preserve our agricultural land. We have invested a fair amount of tax dollars in Delaware, with broad support from people who live in the suburbs and the cities as well as farmers, to preserve the farmland and we have preserved a lot of it. I am very proud of that. One of the best ways to preserve farmland is to make sure farmers can make money off the land they are farming. If they are able to make a good income in good years and bad years, if they have ways to get extra sources of income from the farms—which include raising corn that can be turned to a cellulosic biofuel and help fuel our country or provide the materials that are needed to create carpeting or clothing or to be a place we can build maybe windmill farms or solar energy and deploy those and harvest that as well as crops, those are ways to supplement the income of our farmers and promote conservation.

Beyond that, the bill we are looking at does focus some good attention, appropriate attention, on encouraging and nurturing conservation. I mentioned earlier, we have about 1 million people in Delaware and about 300 chickens for every person. About 60 percent of the cost, I am told, of raising a chicken is the cost of feed. In recent years, the cost of feed, including the cost of corn, has risen dramatically. Our new pages who are here for a 3-week period are anxious to know how much it costs to feed a chicken. We can actually take a chicken from the time it comes out of an egg and in about 7 weeks or so it is ready to actually go to market. But what do we feed them in the meantime? We feed them a lot of corn and we feed them a lot of soybeans. We have seen the cost of corn go from maybe a couple bucks for a bushel of corn to rise to as much as maybe \$7 or \$8 a bushel of corn. We have seen soybeans go from about \$5 a bushel to as high as \$12 or \$13 a bushel. It is hard

to pay that kind of money for corn and soybeans to feed chickens, to raise chickens, and make money. We have lost a major poultry integrator in our State and other places because of the difficulty in feeding the chickens with the high cost of corn and soybeans. About 60 percent of the cost of raising a chicken is corn and about another 20 percent is soybeans. It is a tough business when those prices have doubled and actually tripled. They are coming back down. We are working hard to bring them down, but they increased a strain on the poultry business and made a very profitable business in some places unprofitable.

That is why Senator JOHN BOOZMAN of Arkansas and I have introduced an amendment to the bill we hope to be adopted, folded into the bill, that makes a priority at USDA research to improve the efficiency, the digestibility and nutritional value of food for poultry and livestock, including corn, soybean meal, grains, and grain by-products. By improving the feed that is used to raise our chickens, and I might add other livestock, hogs and cattle and so forth, we can provide the poultry and the livestock industries with a great variety of feed choices to use in their operations which will ultimately help provide relief to those producers that rely heavily on their commodities in their operations and still provide healthy food.

Let me go back to where I started; that is, to ask then how do we get better results with less money in everything we do or maybe for the same amount of money? I think that every day I am here. I know many of my colleagues do as well. The bill before us, the agriculture bill, seeks to answer that question in a number of ways. They do help us get better results for less money, not just a better result for the taxpayer but I think maybe a better health result, reducing somewhat this upward trend toward obesity, making sure people who are not eating the kind of healthy foods they need, particularly fruits and vegetables, have access to fruits and vegetables. On both those counts, this legislation helps not just to serve farmers who are literally the lifeblood of this country but the rest of us too, including taxpayers.

I will wrap up where I started. I asked the sort of rhetorical question of how is the economy doing, and we are still struggling. To some extent, it is better than it was, but we know folks are having, in some parts of the country, including some parts of my State, a tough time finding a job, keeping a job, being able to keep their house and make sure their kids can go to college, make sure they have health care. We know there are challenges. We should be ever mindful of that.

I would say, though, in terms of moving out of the recession, the underlying fundamentals of the economy are not all bad, and we should keep that in mind. One of the surest ways to talk ourselves into another recession—hav-

ing just come out of the Great Depression, we can now talk ourselves into depression. We can talk ourselves into a recession. We don't need to do that. We have seen consistent job growth in the private sector side for over 24 months, manufacturing jobs for over 30 months. We need to keep a balanced view, knowing there is still work to be done.

In baseball parlance, I was talking to a guy up here who follows the Minnesota Twins, the Presiding Officer pretty much. My guess is he is joined by the former Governor and now Senator from North Dakota. My guess is he might be a Twins fan too. I am not sure.

I got a thumbs up.

We pull for the Phillies. I pull for the Tigers as well, for some reason I will not bore everyone with today.

But we need to hit a home run to get the economy moving, and in my view the home run is bipartisan, comprehensive, balanced deficit reduction, not unlike the Bowles-Simpson Commission recommendation. When the elections are over, we can move and pass something along those lines before the end of the year. For me, that is a home run with men on base.

In the meantime, there are a bunch of things we do to get singles, doubles, and get the economy moving to create that nurturing environment; do what needs to be done and finish with our transportation legislation to keep 2 or 3 million people working. The House has been less willing to help us find a good compromise, and they need to—as well as postal legislation, which supports an industry of 7 or 8 million people.

We passed bipartisan legislation 2 months ago, and we are still waiting for the House to move the bill 8 months after they reported the bill out of the committee. We need to get on with that. If they do that and we get a good compromise on a bipartisan bill on transportation, we preserve 2 or 3 million jobs, free a lot of money for transportation all over the country. That would be great. On the postal side, help the Postal Service rein in its deficits, move toward self-sufficiency and make sure there are 7 or 8 million jobs remaining there and the industry is strengthened.

The last thing we need to do is find a way, focus every day on how to get better results on everything we do. How do we do that? Not just defense spending, defense projects, not just education, not just transportation, not just environment, not just agriculture but all of the above.

This bill doesn't help us rein in the growth in some other areas, but it sure does in respect to agriculture. It saves us about \$24 billion above what we would otherwise spend over the next 10 years. I think that moves us in the right direction, in terms of healthy Americans, to be a trimmer, less-obese population, and a healthier population by virtue of eating our spinach and our

broccoli and a lot of other vegetables and fruits that are making us healthier and maybe a little bit leaner than we would otherwise be.

I think that pretty well wraps up what I wanted to say today. I think maybe I should yield the floor to my friend from North Dakota, a recovering Governor and a good man. I am happy to yield the floor for him at this time.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from North Dakota.

Mr. HOEVEN. I thank my esteemed colleague, who is not only a Senator but a former Governor as well.

#### AGRICULTURE REFORM

Mr. President, I rise to speak on the farm bill. I think we have a real opportunity to pass a farm bill that will not only reduce the deficit but provide strong support for our farmers and ranchers. Right now at this point, there is something like 250 amendments that have been filed on the farm bill. Some are good, others are probably not so good, and certainly many amendments have been filed by both parties. Some of them are germane, meaning they actually relate to the farm bill, and many of them are not. That means if we are going to get a farm bill, we have to find a way to work through these amendments and come to agreement on the amendments as far as the ones that will be voted on, and that is going to take some compromise on the part of both parties. I mean that. We have to come together in a bipartisan way and come up with an agreement so we can have a reasonable number of amendments brought forward and we can vote on those amendments and pass a farm bill. We should be able to do it. We absolutely should be able to get that done because this bill accomplishes some very important things for our country.

As I said, this bill saves money. It saves \$23.6 billion that will help with the deficit and the debt. It also provides a very strong farm program for our farmers and ranchers, and that is important not only for our farmers and ranchers but for every American. It is important for every single American. Good farm policy not only benefits farmers and ranchers, it benefits all Americans.

First, we have the highest quality, lowest cost food supply in the world, bar none. We have the highest quality, lowest cost food supply in history. Every American benefits from that.

Second, it is a jobs bill. We are talking about millions of jobs, both on a direct basis and on an indirect basis. If we talk about small businesses, we are talking about hundreds of thousands of small businesses across this country in every State. For farmers and ranchers and all of the businesses that go with farming and ranching, it is hundreds of thousands of businesses. So it really is a jobs bill at a time when we need to get our economy going and we need to get people back to work.

It is also about national security. Think how important it is that we be

able to rely on our own farmers and ranchers across this country for our food supply. We are not beholden to other countries or relying on other countries, particularly countries that may have very different interests than we have for our food supply. It really is an issue of national security as well.

So for all of these reasons and more, we need to move forward on this farm bill. We are talking about legislation that affects every single American.

In addition, this is a cost-effective bill. It provides strong support to our farmers and ranchers, but, as I said, it also provides real savings to help with our deficit and debt. Agriculture is doing its part to help reduce the deficit. I would like to go through the numbers for just a minute to demonstrate that.

On an annual basis, the farm bill is about \$100 billion out of a \$3.7 trillion budget. So it is \$100 billion out of a \$3.7 trillion budget, but the portion that goes to farm programs and really goes to agriculture to maintain this network of farms and ranches across the country is only about \$20 billion—actually less than \$20 billion out of an annual budget of \$3.7 trillion. Now, 80 percent of the farm bill, per se, is nutrition payments.

So let's go through these numbers. How does the farm bill score? How do we get what is really spent and where it is spent and the savings that we generate with this new legislation? The farm bill is scored, of course, over 10 years by the CBO. The total cost is \$960 billion. Out of that 80 percent-plus is nutrition, primarily SNAP, which is the Supplemental Nutrition Assistance Program, and the School Lunch Program. So approximately \$800 billion of that score is nutrition. Less than \$200 billion of the score relates to the farm program portion of the farm bill. But, as we know, the farm bill is actually a 5-year legislation, not a 10-year legislation. So the actual cost is half that; it is \$480 billion in total. Approximately \$400 billion of that goes to the nutrition programs I talked about. Less than \$100 billion over 5 years or less than \$20 billion a year is actually the farm program portion of the bill.

Back to the savings. There is \$23.6 billion saved out of the portion that is less than—or mostly out of the portion that is about \$200 billion. In fact, out of what are truly farm programs—the commodity title and crop insurance—we are talking about \$15 billion in reductions and another \$6 billion in reductions out of the conservation programs. Again, those two programs alone are \$21 billion of the \$23 billion, and only about \$4 billion in total comes out of the nutrition programs. Again, on a 5-year basis, cut that in half. We are reducing by 10 percent the funding that goes to support the farm program. That is a significant reduction.

Let's go back to my point about all of these amendments we have. We have on the order of 250 amendments, and we have to get through them and have

some agreement, again on a bipartisan basis, as to the amendments that will be brought forward and voted on as part of this package.

We have the core bill that came out of the Agriculture Committee. It came out of the Agriculture Committee with a strong bipartisan vote—16 to 5—and that is for the underlying legislation. We have these 250 amendments. We have to somehow get together, come to the floor, and have a reasonable vote on these amendments—some will pass and some will not—and move this legislation forward.

As I said, while many of the amendments relate to the farm program portion of the farm bill, they either seek to further reduce the cost of the bill or seek to improve the bill. Regarding the cost of the bill, as I have just explained, the farm program portion of the bill is less than \$20 billion a year, and we have already saved 10 percent. We are already reducing 10 percent. So no amount of amending for additional savings is going to make a large difference on the \$3.7 trillion budget.

Further, as I said, since we already reduced the 10 percent, agriculture is doing its part to help with the deficit. For example, think if we went through the rest of the budget and were able to secure a 10-percent reduction out of all of the other portions of the budget, right? Again, my point being, of course, we have to find savings, but we are doing it in agriculture, and we are doing it in a big way. It truly is a cost-effective measure.

There are also amendments that seek to improve the bill. Here I go back to the old saying that perfect is the enemy of good. I get that there are a lot of amendments and everybody wants their amendment passed, but no amount of amending this bill is going to make it perfect. What this bill does is it already builds on the strengths of the existing farm program and makes the program stronger.

The heart of this bill is enhanced crop insurance. That is what producers across this country told us over and over again that they want. It is what they need to continue to do the very best possible job to produce the food supply we rely on throughout this country and many other countries throughout the world. Enhanced crop insurance is the risk tool they want. It is a market-based approach, and it is cost-effective.

In fact, we enhanced crop insurance with what we call the supplemental coverage option. Essentially what we do in this farm bill is we say we are going to build on the core and strength of the existing farm program because that is what the farmers and ranchers of this country have told us they want.

As it is now, the farmer goes out and buys his crop insurance and insures up to the level he thinks is appropriate. He tries to make the best decision he can, all conditions considered, and buys the crop insurance on a cost-effective basis. But the higher level he in-

sure, the more costly it becomes to insure. So we add a new element to this bill, and it is called the supplemental coverage option. Essentially what it does is once the farmers purchase their crop insurance at whatever level they feel is cost-effective, then they can buy a secondary policy on top of that to insure at a higher level on a cost-effective basis. It is not farm-level coverage, it is countywide coverage that makes it more cost-effective. If the farmer has a disaster, it truly makes sure the farmer can continue in business. So they are able to buy crop insurance in a way that affords them better coverage.

In addition, the legislation provides help with shallow or repetitive losses that farmers sometimes face due to weather. That coverage is called ARC, or the Agriculture Risk Coverage Program. These are voluntary programs. These are an effort to make sure farmers and ranchers can insure like other types of businesses and continue even when weather conditions make it very hard for them to farm or ranch, not only in a given year but if they face weather difficulties over a period of time.

I know some of the Senators from the Southern States think that in this bill for their farmers, particularly for peanuts and rice and to some extent cotton—although there is a STAX program for cotton—there needs to be more price protection. In fact, we are working with them to do just that. We have offered amendments that I think we are making real progress on that will help them with some of the price protection they want for the southern crops, particularly peanuts and rice. As I said, they do have a product that I think they feel works for cotton, but this would provide additional price protection for cotton as well.

Again, I believe we are reaching out and doing what we need to do with southern producers. I hope we can get their support on this bill as part of getting an amendment package that we can agree to and move forward on the bill.

The other point that I think is very important to keep in mind relative to southern growers is that they will have additional opportunity in the House for some of the improvements they may feel they need in the bill even though, as I say, I think the underlying bill itself is very strong, and we have, I believe, come to some agreement or gotten very close to some amendments that will afford them the further price protection they feel is needed in the legislation.

So that is where we are. I want to return to where I started. We have to come together in a bipartisan way. Both sides of the aisle have to come to reasonable agreement on these amendments so we can move forward and vote on this bill. I absolutely believe we can do it, but I want to be very clear that it is incumbent on all of us to make it happen.

This bill is not just about our farmers and ranchers. This is a bill that affects every single American, and it is time we come together on an amendment package and find a way to move forward and get this bill done for the good of farm country and for the good of the American people.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the role.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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

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

#### AGRICULTURAL REFORM

Ms. STABENOW. Mr. President, as we wrap up today and the week, I wish to take a few moments to give a status report as to moving forward in our negotiations on the farm bill. We have actually had some very good progress and overcome some obstacles and we are putting together something for the Senate for the beginning of the week that will allow us to move forward.

I wish to also thank the junior Senator from North Dakota whom I heard on the floor a little while ago, Mr. HOEVEN, about the 250 different amendments we have. Of course, the great thing about the Senate is we can all offer amendments whether they are relevant or not, and the challenge for someone managing a bill is that anyone can offer amendments. So we have worked our way from the 250, we are working our way down from 50 to 40 and putting together an approach that will be fair and balanced and allow us to move forward and have the input of everyone on both sides of the aisle.

So I wish to thank Senator ROBERTS again for being truly a partner with me all the way through this process and a terrific committee. We heard from one of those members, the junior Senator from North Dakota, in laying out what a positive and important bill this is for us. I wish to thank him as our newest member of the committee for all his contributions as well.

To briefly recap as we bring the discussion to a close this week, there are 16 million people who work because of agriculture. They may be working in the fields. They may be packaging, processing, making machinery for agriculture. They could be doing a number of things, but 16 million people work because of agriculture. I am not sure we can say any other individual bill that has been brought to the floor of the Senate impacts that many people—16 million people.

As I have said so many times, I don't believe we have a middle class in this country unless we make things and grow things. I am proud of Michigan where we do that. We make things and grow things. The State of the Presiding Officer as well makes things and grows

things. That is the strength of our economy.

One of the bright spots for us, even during the deepest, toughest times in the country, and certainly in Michigan, has been and continues to be agriculture, our major source of a trade surplus, having seen the trades expand 270 percent just over a short period of time, and over 8,000 jobs created for every \$1 billion we do in trade exports. So there are multiple facets to this jobs bill, from production agriculture, alternative energy, biomanufacturing, whether it is support for the critical needs of families through nutrition, whether it is conservation, where we have the largest investment in land and water conservation in our country on working lands, done through the farm bill.

This is important. It covers many important subjects that touch every single person in rural America and every person across this country as consumers of the safest, most affordable food supply in the world. So we have an obligation to get this right and to take the time to do it, and that is exactly what we are doing.

I am so proud this bill came out of committee with a broad, bipartisan vote and that we had such a very strong vote to proceed to the bill and now we are moving through the process of bringing us down the path to a final conclusion.

As we do that, I wish to stress again a few points. We could talk a long time because this has many pieces to it, and I am not going to do that this evening. But I do want to say one more time, to my knowledge, this is the one piece of real deficit reduction done on a bipartisan basis—in fact, on a House-Senate basis back in the fall—that we have had before the Senate.

There is \$23 billion in deficit reduction. So we all have an opportunity to vote to reduce the deficit—something we all care about—and we can do that while passing the farm bill. This repeals direct payments. Four different subsidies, in fact, are repealed. In its place, we put a risk management system.

So if there are losses, if there is a disaster from weather, such as we have seen in Michigan, if there are other disasters on price declines, world actions that create a challenge for our farmers or ranchers, we will be there to make sure nobody loses their farm because there are a few days of bad weather or any other risk that is beyond their control. However, if things are going well, we are not going to be giving a government payment.

We are going to cover farmers for what they plant and when there are losses. We are strengthening payment limits so we again are focusing precious dollars on those who need it, and we end more than 100 different programs and authorizations. As we have scoured every single page of the farm bill and the USDA responsibilities, we have found areas where there is dupli-

cation, redundancy, things that are no longer needed, and we have solidified, made things more flexible, cut duplication. In the process of that, we have actually eliminated 100 different programs and authorizations, cut \$23 billion. At the same time, we have continued our commitment to families and children in this Nation who have their own personal disasters and need food assistance help.

We continue a strong commitment on conservation. We have 643 different conservation and environmental groups that have come together to support our approach, 125 different agriculture and hunger groups, and other organizations that say yes to this bill. We are anxious to get it done.

I would just say, as we conclude a very busy week—and I have to say it has been a very productive week—we began a process. We have had some votes. We have had a number of folks come together. I thank people on both sides of the aisle for their willingness to work with this as we move forward on our path to completion of this very important 5-year bill. I wish to indicate to everyone that we will look forward to having the opportunity next week to present something to the body.

#### VOTE EXPLANATION

Mrs. MCCASKILL. Mr. President, I was unable to arrive at the Senate Chamber in time for Senate rollcall vote 119. I would have opposed tabling amendment No. 2393 to S. 3240. The outcome of the vote would not have been changed had I been present.

I thank the Chair.

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. FRANKEN. 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.

#### MORNING BUSINESS

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

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

#### HURWITZ NOMINATION

Mr. BLUMENTHAL. Mr. President, I would like to express my strong support for the nomination of Andrew Hurwitz to be a member of the U.S. Court of Appeals for the Ninth Circuit. Justice Hurwitz is already an experienced jurist, having served for almost 10 years as a member of the Arizona Supreme Court. He has disposed of hundreds of cases and has received the highest possible rating from the American Bar Association Standing Committee on the Federal Judiciary, "well qualified."