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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Ronald McCrary, Deputy Director of Chaplaincy Services at the Cobb County Sheriff's Office in Marietta, GA.

The guest Chaplain offered the following prayer:

Let us pray.

Eternal Lord God, from whom we come and to whom we belong, may Your kingdom come. Use our law-makers today to do Your divine will on Earth, as it is in Heaven. Give them Your wisdom so that justice rolls down like water and righteousness like a mighty stream.

This we pray, in the matchless Name of Jesus Christ our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 21, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. ISAKSON. Mr. President, it is my honor to introduce to the Senate Rev. Ron McCrary, who just gave the prayer on the floor of the Senate. He is here with Chaplain Black.

Reverend McCrary is a great individual from my home county, Cobb County, GA. He is the chaplain to the Cobb County Board of Commissioners, the fourth largest county in Georgia. He is chaplain of the Police Officers Standards and Training facility in Georgia, which covers 40,000 law enforcement offices. He is a great preacher, a great leader, and a great chaplain. He was recommended to me by Sheriff Neil Warren, the sheriff of Cobb County, who because of his graciousness allowed Ron to come and be with us today.

Ron is a father, a minister, and a great witness. He witnessed as an athlete through the Campus Crusade for Christ and Athletes in Action. He witnessed as a pastor by ministering churches. He witnessed to the community by delivering great sermons—one of them about voting, in honor of Coretta Scott King, delivered in 2006 at the Turner Chapel in Marietta, where he empowered everyone to honor Coretta Scott King's life's work by making sure they participated in the political system.

It is an honor and a privilege for me to welcome and host Rev. Ron McCrary of Cobb County, GA, and the Cobb County Sheriff's Department.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FLOOD INSURANCE REFORM AND MODERNIZATION ACT—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I now move to proceed to Calendar No. 250, S. 1940.

The ACTING PRESIDENT pro tempore. The clerk will report the motion. The legislative clerk read as follows:

Motion to proceed to Calendar No. 250, S. 1940, a bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the time until 11 this morning will be equally divided and controlled. At 11 o'clock a.m., we will begin up to 10 rollcall votes. We will complete the farm bill today in the early afternoon. We also hope to have a cloture vote on the motion to proceed to the flood insurance bill today.

WORKING TOGETHER

Mr. President, we come here and lament all the bad things happening in the Senate. It is not out of order once in a while to talk about some of the good things happening in the Senate. I think we should look at it as if, as difficult as it has been to get things done, we are making progress. We had that postal bill, which was good work on behalf of the Senate. The highway bill worked out extremely well. We have this 5-year farm bill—very difficult, but it is now near passing, which is good for the country.

We have to make sure before the end of the month we finish our work on the Flood Insurance Program, which is so extremely important to the country. With the construction picking up a little bit everywhere, we have to make sure when a loan is to close it can be

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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closed. Thousands of them each day cannot be closed unless we do a renewal of the Flood Insurance Program.

I had a meeting with the Speaker on Tuesday, with Senator BOXER, chairman of the committee, Chairman MICA, her counterpart in the House, and Senator INHOFE, and we are making progress on the highway bill. I feel good about that. Whether we get it done remains to be seen. But the House, in an overwhelming vote yesterday—totally bipartisan or they could not get the 384 votes—instructed the conferees to come back with the bill by tomorrow. Contentious issues have been resolved, and I believe we have a shot at getting the highway bill done. That would be good for the country and good for the Senate.

So I appreciate everyone working together. As the Republican leader and I have talked, as difficult as it is to work out agreements on the bills I have just mentioned—including the farm bill—it is good for the Senate.

I appeared before a committee chaired by Senator CARPER, and there as the ranking member was Senator COLLINS. They both indicated today before everybody that the spirit on the Senate floor was good yesterday.

That is because everyone can feel we are accomplishing something. Some of the votes were difficult, and some we all wish we had not taken because they were tough votes. But that is what the Senate is all about. So I feel comfortable with the last bit, that we are trying to work together for the good of the country.

I have said lots of times, if we are able to accomplish good as a body, everyone can take credit for it. We can go back to our States and claim we are part of a victory for the country. But if we do not get it done, we are part of the blame and people can go home and lament the fact that we have not been able to get our work done. People point fingers at us: Why can't you get more done?

So, hopefully, this summer, which started yesterday—in fact, today is the longest day of the year—will bring good tidings to the Senate.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRADITIONAL SENATE OPERATION

Mr. MCCONNELL. Mr. President, before the majority leader leaves the floor, let me just say I agree entirely that the Senate, it seems to me, is sort of getting back to operating the way the Senate traditionally has. I think the way Senator ROBERTS and Senator STABENOW have handled the farm bill has been exemplary. Members on both sides have gotten opportunities to offer amendments. We have had a lot of votes, but it is an important bill.

So I commend all of those who have been involved in beginning to work us back in the direction that I think most of the Senate would be comfortable with.

I also want to thank my friend, the majority leader. He has a tough job setting the agenda and deciding how to go about moving legislation. I think the way we have handled the farm bill and other measures to which he has referred in recent months has been a very important step in the right direction.

STUDENT LOAN RATES

Mr. President, 3 weeks ago today, Republican leaders in the Senate joined Republican leaders in the House in calling on the President to resolve a pending increase in student loan rates.

Drawing on some of the President's own ideas, we proposed multiple good-faith solutions to this problem before it is too late. We have been waiting ever since for the President's response. He has actually been missing in action. He has yet to offer a concrete solution. So you can understand our surprise upon learning this morning that the President plans to call on Congress later today to do something about student loan rates.

Mr. President, the Republican-led House of Representatives already passed a bill that would solve the problem. As I said, Republican leaders in the Senate have been on record supporting multiple—multiple—good-faith solutions to this problem for literally weeks. It is actually the Democratic-led Senate that has failed to act, and the President who has failed to contribute to a solution. The reason is pretty obvious.

It was reported yesterday that the Democratic Congressional Campaign Committee is launching a Web site with a student loan countdown clock aimed at raising money off this issue. The implication is that Republicans are the ones dragging their feet.

As for the President? Well, this is just another sad example of the election-year strategy of deflection and distraction—deflection and distraction.

College graduates are struggling to find work and pay their bills in the Obama economy. He would like them to believe it is somebody else's fault.

Latinos are struggling with high unemployment. He would like them to believe the Republicans are the problem.

Middle-class moms are struggling to make ends meet. He wants them to think we are engaged in some phony war on women.

The President does not have a positive message to send to any of these folks, so he is cooking up false controversies to distract them from his own failure to turn the economy around.

Well, on the student loan issue, we could solve this problem in a sitting. Republicans have acted quickly, and on a bipartisan basis, to help prevent these rates from going up. We have passed a bill out of the House. We have reached out to the President. We have proposed multiple—multiple—solutions.

The only reason this issue is not already resolved—the only reason—is that the President wants to keep it

alive a little while longer. He thinks it benefits him politically for college students to believe somehow we are the problem.

It is time to stop playing games. It is time for the President to act.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, good morning to you. Good morning to my colleagues.

PTC FOR WIND ENERGY

I am here again on the Senate floor to urge all of my colleagues to vote for an extension of the production tax credit for wind energy, otherwise known as the PTC.

Today, as I have been doing, I will focus on an individual State. I am going to look at the Commonwealth of Pennsylvania and show all of us the promise it holds as a wind energy manufacturing hub, as well as the negative effects that will occur if we do not extend the production tax credit.

Pennsylvania has a strong blue-collar background and an extraordinary number of highly skilled workers. With those factors, those positive elements in Pennsylvania, it has seamlessly transitioned into a wind energy powerhouse.

Look at this map I have in the Chamber of the State of Pennsylvania. You will see, from Philadelphia to Rockwood, from Pittsburgh to Scranton, there are wind projects all over the State. Those wind projects have created good-paying jobs and stability for Pennsylvania families.

Pennsylvania, as I have alluded to, has long been a center of manufacturing in the United States, and the wind industry has taken note.

You can see these green circles on this map. Each one of those indicates a manufacturing facility that makes parts for wind turbines in the Commonwealth of Pennsylvania. That represents over 20 plants and hundreds of employees in the Commonwealth of Pennsylvania.

I would suggest that the State of Pennsylvania is only beginning to realize its potential when it comes to the wind energy industry.

My colleagues know I have been on the Senate floor talking about the economic benefits of wind energy. I want to highlight what has happened in Pennsylvania.

If we look at this chart, in Pennsylvania, the wind energy industry supports 4,000 jobs. There are 180,000 homes that are powered by wind, and there is a conservative \$1.4 million in property taxes from wind projects that go to local communities.

So this is an important set of numbers. It is money, particularly on the

tax side, that helps local communities pay for basic services, and it is critical in this time of decreasing local and State budgets.

If we think about it, all of these figures—the jobs, the revenues, the investments—are prime for significant growth going forward. But that future and that growth are going to be threatened unless we act, unless the Congress acts to extend the production tax credit.

Just last week, Gamesa—which is a global leader in the manufacturing of wind turbines—announced it is ending the development of the Shaffer Mountain Wind Farm, which is in northeastern Somerset County. This project would have ultimately ended up with 30 new wind turbines, and it was planned to come online in 2013. That is just 6 months from now. But because of the uncertainty tied to Federal policies, such as the production tax credit, Gamesa has sidelined this project.

In short, our inaction is costing this community jobs, this Commonwealth of Pennsylvania jobs. It does not make any sense in the current economic environment we now face and as our Nation is desperately focused on becoming more energy independent.

The Pittsburgh Post-Gazette made the point that this is the third wind project under development that has been stopped—all in the last month—just because of the uncertainty we have created here by not extending the PTC. These are on-the-ground examples of how congressional inaction is costing American jobs and investment.

I know the Acting President pro tempore knows this is not a partisan or regional issue. There is strong bipartisan support for extending the production tax credit, and the wind industry has a presence in almost every single State in our country. So if we look at the overall picture, this is not the time for companies such as Gamesa to grow, reluctant to invest in the future. So we have to expand the PTC. It will incent this industry to continue its rapid growth, and it will build a strong foundation for a 21st-century clean energy economy.

So I am again on the floor urging my colleagues to work with me to extend the wind production tax credit as soon as possible.

As I close, I want to highlight an event that is on Capitol Hill today where Members, staff, and others can learn more about the potential of wind energy, as well as other types of renewable and energy-efficient technology.

That event is the 15th Annual Renewable Energy and Energy Efficiency EXPO. It is underway all day in the Cannon Caucus Room on the House side.

The bipartisan Senate Renewable Energy and Energy Efficiency Caucus, which I cochair along with Senators LIEBERMAN and CRAPO, is an honorary cohost of the event. I encourage all of us to go over there, look at the technologies. They are awe inspiring. They

are awesome. They are truly the future. When we implement policies that will help these technologies penetrate all of these various markets, we are going to continue to be a leader in the clean energy economy.

So I will be back next week to talk about the wind production tax credit. I will be here every day until we pass it and extend it.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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.

Ms. STABENOW. Mr. President, what is the pending business?

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 3240, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3240) to reauthorize agriculture programs through 2017, and for other purposes.

Ms. STABENOW. Mr. President, before reading our order of amendments, I wish, one more time, to say thank you to everyone. We have had two very productive, hard-working days. I thank my ranking member for his incredible leadership and all our staffs.

Today, we have an opportunity to show that the Senate can come together—and we have been doing that—to pass a significant piece of public policy for Americans. I ask unanimous consent that notwithstanding the previous order, the amendment votes occur in the following order and that all other provisions of the previous order remain in effect: Boxer amendment No. 2456; Johanns No. 2372; Toomey No. 2247; Sanders No. 2310; Coburn No. 2214; Murray No. 2455; McCain No. 2162; Rubio No. 2166.

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

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2456

Mrs. BOXER. Mr. President, I call up my amendment No. 2456.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 2456.

The amendment is as follows:

On p. 1009, after line 11, add the following:
SEC. 122. REQUIREMENTS FOR AERIAL OVERFLIGHTS OF AGRICULTURAL OPERATIONS TO PROTECT PUBLIC HEALTH AND SAFETY.

The Administrator of the Environmental Protection Agency, pursuant to her responsi-

bility to protect public health and safety, shall only conduct aerial overflights to inspect agricultural operations if the EPA Administrator determines that aerial overflights are more cost-effective than ground inspections to the taxpayer and the Agency has notified the appropriate State officials of such flights.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided, on the amendment.

Mrs. BOXER. Mr. President, Senator JOHANNs has an amendment which would stop the EPA from ever using any kind of airplanes—including manned small planes, which is all they do use—to check on serious pollution spills.

I wish to say this is about life and death. I hope the Senate will support the Boxer amendment and vote no on the Johanns amendment because the Boxer amendment says the EPA can only use these overflights if it has to do it to protect the health and safety and if it has been approved by the State.

This pollution could cause serious illness, and they want to make sure they can track the plume. We have heard of cryptosporidium, E. coli, and giardia. That is what we are talking about—terrible bacteria that sometimes comes from animals.

In 1993, at least 50 people died from the bacteria cryptosporidium in Milwaukee, and it came from animal waste. The EPA has never used a drone, and they don't plan to, but don't stop them from using small aerial oversight.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNs. Mr. President, given the EPA's recent track record with agriculture—if not downright contempt for it—farmers and ranchers simply don't trust the EPA. They could have done this program right and reached out to the congressional delegations in Nebraska and Iowa and said: Here is what we are doing. Here is the plan. They did not.

I found out about this accidentally. I have requested information—in fact, our entire delegation has—and the administrator has been nonresponsive. That is why the amendment is here. It is an amendment based on a lack of trust for the EPA. This maintains the status quo. This will change nothing. It will rubberstamp what they are doing.

I ask my colleagues to oppose the amendment and support the next amendment, which I will call up in due time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JOHANNs. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll. This is a 60-vote threshold.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.