

This bill's final passage is a victory for millions of Americans who need medicines or medical devices, a victory that would not have been possible without the dedicated work of our Senate family.

The PRESIDING OFFICER. The majority leader is recognized.

#### SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 341, S. 2237.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 341, S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

Mr. REID. Mr. President, I made a commitment to proceed to a 5-year flood insurance bill following the farm bill. We have done that. It is the right thing to do. It is an extremely important piece of legislation. So I have lived up to that commitment. I had hoped the broad support we have for this extremely important bill would allow us to reach an agreement and finish the bill in a relatively short period of time.

As everyone knows, the senior Senator from Arkansas has had some issues with the bill. I have suggested that he have a vote. From talking to my Republican friends, they do not have a problem with that, giving him a vote. Unfortunately, as happens around here more often than I would like, we have not been able to reach agreement because a small group of Republicans is stopping us from doing this.

So my options are really very limited at this stage. I can file cloture and put at risk our ability to complete action on student loans and the Transportation bill. That is what it would do because if I file cloture, we will have to have a cloture vote on this on Thursday. And I would have to file cloture twice because there is the bill and there is the substitute, which everybody agreed was the right thing to do to move forward on the substitute. That is two votes, so at least 60 hours. The flood bill is a very important piece of legislation. It is not something we have to complete the day after tomorrow, but it is something we have to complete a month from now. So do I file cloture and put at risk these important pieces of legislation, meaning the Transportation bill, the student loans—put everything at risk—or I can give supporters of this bill time to try to come to an agreement on limiting the number of amendments.

I really believe the right thing to do is to give the people who want this bill passed, Democrats and Republicans, people who support this extremely important piece of legislation, a day or two to figure out if they can get something done. I hope they can. I honestly do. So I am not filing cloture on this

bill as I had really actually contemplated. I hope my Republican friends will work with us to get this bill done.

This is a bill that deals with flood insurance. I have spoken to a number of Republican Senators, including Senator VITTER, who is the person who has spoken out on this more than anyone else, and he acknowledges that there may be a few relevant amendments that we should have on this bill. I do not care. That is fine with me. Let's set up a list of amendments and finish this bill. So I hope we can get that done. I really do. We should not get in a legislative morass on a bill that is extremely important for the country no matter what part of the country you live in. The dry deserts of Nevada, this is an important piece of legislation; the wetlands of Florida and Louisiana, very important piece of legislation. So I hope we can get this done.

Let me just say another word or two. I am very pleased to say that we are close to an agreement to prevent student loan rates from doubling for 7 million young men and women. That would happen at the end of the week. So I appreciate the leadership of President Obama. He has pushed forward on this for a long time. He has given many public statements in this regard. He has been talking to students around the country. He was in New Hampshire yesterday talking to students. They waited in the rain to hear him talk. He has been working with leaders in Congress to ensure that students will not pay the extra \$1,000 to get a degree.

I would remind my colleagues, the Republicans, including the Speaker, my friend, were willing to give up on this issue a few weeks ago. We are not willing to give up on this issue. I am glad my Republican colleagues have agreed we should not give up on this issue. We do not want to let the rates double. Leader CANTOR even said Republicans were done legislating. Remember that? But with the President's leadership and our persistence and the help of my valiant Republican friends, we are going to be able, with a little bit of good luck, to protect 7 million students. I hope that is, in fact, the case.

I appreciate the diligent work of the chairman of our committee, Senator HARKIN. Senator JACK REED has worked very hard on this, as have other Senators. I am leaving a few out, but I am certainly not doing that intentionally.

I hope everyone understands the legislative issues we have to work toward the end of this week. I hope we can get it done. I hope we do not get trapped in one of these Senate procedural bogs where we are going to have to be here Friday, Saturday. You know, I hope we do not have to do that. There is no reason to. We can get all of our work done, but we do need a little bit of cooperation.

The PRESIDING OFFICER. The Senator from Tennessee.

#### FOOD AND DRUG ADMINISTRATION SAFETY AND INNOVATION ACT

Mr. ALEXANDER. Mr. President, I congratulate Senators HARKIN and ENZI, their staffs, and all who worked for 15 months on this important piece of legislation. I have watched the Senate for a long time—first as a staff member and then as a Senator—and it has always been a little messy and complicated. There are always disagreements. That is the purpose of the Senate, to work out arguments. But over the last few months, this Senate has done a much better job of operating in the way the American people expect us to operate. We are all here to try to get results after we state our positions. This bill especially affects the health and safety of millions of Americans. Almost every American family buys the prescription drugs and medical devices we are talking about in this legislation. I am glad to see this happen for two reasons—one, because of the result, and two, because of the way the Senate has worked. It is a fine example of what I hope to see happen more often.

I also thank the majority leader, Senator REID, and the minority leader, Senator MCCONNELL, for creating an environment in which we could have a large number of amendments, debate, and discussion. I think we all appreciate that very much and want to create an environment in which they can provide that kind of leadership.

I ask unanimous consent to speak as in morning business.

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

#### LAND GRANT UNIVERSITIES

Mr. ALEXANDER. Mr. President, on Monday, at the Library of Congress, was the 150th anniversary celebration of the creation of land-grant universities and the National Academy of Sciences. The assemblage also took a moment to throw a bouquet to Andrew Carnegie for founding so many free public libraries.

I am on the floor to ask this question: What was in the water in Washington, DC, 150 years ago, in 1862 and 1863? During the 2 years after the telegraph dispatched the Pony Express in 1861, Congress and President Lincoln enacted the Morrill Act creating land-grant colleges, authorized the Transcontinental Railroad—reducing the time for getting from New York to San Francisco from 6 months to 6 days—as well as the National Academy of Sciences, and enacted the Homestead Act. They also agreed on a conscription law with teeth, a National Banking Act, establishing a national currency, a new internal revenue law, and created the Department of Agriculture. To top it off, on December 2, 1863 the last section of the Statute of Freedom was put in place on top of the Capitol dome, with a great celebration.

Mr. President, if I were the Republican national chairman, I might suggest that this transforming burst of governing was simply a matter of turning the government completely over to

Republicans and sending home half of the Democrats. By the end of the 37th Congress in 1863, southern Democratic U.S. Senators could not obstruct any of these laws because their States had seceded from the Union and they could not vote. According to the Senate Historian, that left 48 Senators voting at the end of that session—27 Republicans, 12 Democrats, and 9 Unionists, oppositionists, or Senators who called themselves the “know nothings.”

Perhaps this burst of governing came from the energy of a new political party or the brilliance of the new President, Abraham Lincoln, or maybe a Congress that was simply more efficient in those days. The Morrill Act that created land-grant colleges passed both the Senate and House in the same week, in June 1862. The President signed the bill into law 2 weeks later. The National Academy of Sciences was introduced on February 20, 1863. It passed the Senate and the House and was signed by the President all on the same day, March 3. Back in those days, the President would obligingly travel down Pennsylvania Avenue and sit in an office in the Capitol waiting for bills to be brought to him for signature.

Maybe it was a result of the state of the American condition at the time—the absence of a 24-hour media, special interest groups, and instant communication on the Internet. Or maybe it was that Members of Congress had more time to think great thoughts while traveling to the sessions. It would take Senator Sam Houston 6 weeks to travel from his home in Texas to occupy his Senate desk in Washington, DC.

There is no doubt it helped that there was a crisis, the Civil War. Americans have always risen to our best in the midst of a crisis. Making the crisis worse, many thought the new President was incompetent. In January 1863, former Supreme Court Justice Benjamin R. Curtis “reported general agreement on the utter incompetence of the President. He is shattered, dazed and utterly foolish.” This is from David Herbert Donald’s book “Lincoln.” The editor of the *Cincinnati Commercial* was more explicit when he wrote that President Lincoln was “an awful, woeful ass. If Lincoln was not a damn fool, we could get along yet.” The President, in turn, considered many of his generals incompetent. And he and Mrs. Lincoln were suffering a personal crisis at the time, grieving the death of their son, Willie. The war crisis clearly helped to enact transforming legislation in 1862 and 1863. One impetus for passage of the law creating land-grant colleges was to provide military training.

Among the first assignments of the National Academy of Sciences was to find some way to protect the iron hulls of the Union Navy warships from corrosion.

GEN Grenville Dodge told President Lincoln that the Transcontinental

Railroad was a “military necessity,” even though Representative Justin Morrill, a visionary in other matters, said he saw no need for the railroad to go further than the silver mines in Nevada because it would only be traveling through uninhabited territories.

The war caused the bickering Republicans, who remained in Congress, to pull together. The editor of the *Chicago Tribune* explained:

[If we fail], then all is lost. Union, party cause, freedom and abolition of slavery . . . let us first get the ship out of the breakers, then court martial the officers if they deserve it.

Mr. President, it helped to have a crisis.

Unfortunately, the formula for the passage of transforming legislation 150 years ago is not neatly explained as a crisis, plus a brilliant President, plus a high-minded Congress efficiently enacting big ideas developed in Washington, DC. The real story is much more American than that. As has usually been the case, these big American ideas came from outside Washington, they took a long time in coming, and enacting them into law was a long and messy process.

Jonathan Baldwin Turner’s address before the Illinois Teachers Institute in 1850 proposed the creation of an “industrial university” 12 years before enactment of the Morrill Act. Representative Morrill first introduced the idea in 1857. After much struggle, it passed in 1959, but President Buchanan vetoed it. Two years later, Morrill succeeded. And even though the obstructionist Southerners were gone, eastern and western Republicans argued vigorously over land grants, as well as where the new Transcontinental Railroad should go.

The roots of the National Academy of Sciences can be traced to a group of Cambridge scientists meeting in the 1850s or to earlier philosophical organizations before that or even all the way back to Benjamin Franklin. California entrepreneurs and speculators and politicians—some of them were all three—were the ones who persisted in the 1850s until, in 1862, the Pacific Railroad Act became law.

So the formula for success for these transforming laws 150 years ago was typically American: big ideas bubbling up from around the country, plus entrepreneurial persistence, plus a crisis equals transforming results.

How does that formula apply today to improving the American condition? Well, to begin with, we have a handy crisis. Washington is borrowing 40 cents of every dollar it spends. By this rate, by 2025, every penny of tax revenue will go for Medicare, Medicaid, Social Security, and interest on the national debt, leaving nothing left—unless we borrow more—for national defense, national laboratories, national parks, research, or education. A second crisis, many fear, is that our country will be unable to compete in the future with the emerging Asian economies. So

what transforming steps should the United States take to meet these new challenges?

My own view is that rather than creating new institutions, as America did in the 1850s and 1860s, it would be wiser for us to spend our time making the institutions we already have work.

Let me discuss just two examples—first, our basic governmental institutions. The new Foreign Minister of Australia, Bob Carr, a great friend of the United States, expressed recently in Washington, DC, that the United States is one budget deal away from reasserting its preeminence in the world. He means, of course, that the world is watching, actually hoping, that at the end of the year the United States will demonstrate that we actually can govern ourselves by resolving the fiscal mess we have in a way that reforms taxes, controls spending, and reduces debt. We do not need a new government to do this. We need for our newly elected President, whether his name be Romney or Obama, to lead.

President Lyndon B. Johnson’s Press Secretary, George Reedy, once defined Presidential leadership as seeing an urgent need, developing a strategy to meet that need, and persuading at least half the people that you are right.

We don’t need to change the rules of the United States Senate; we simply need a change in behavior—one that focuses less on playing games and more on getting results. The new Congress, next year’s Congress, whether it be Republican or Democratic, must make its goal to dispute, amend, debate, vote upon the President’s proposed agenda, and then help the President succeed, because if he succeeds our country succeeds.

We might well remember the words of that *Chicago Tribune* editorial writer in 1862 who said:

Let us first get the ship out of the breakers . . . then court martial the officers if they deserve it.

The second institutions we should refurbish and make work are our colleges and universities—all 6,000 of them, not just the land-grant universities that we celebrate this week. Again, we do not need new institutions; we need to reassert the greatness of the ones we have. Our universities, along with our national labs, are our secret weapons for innovation, and innovation is our secret weapon for producing 25 percent of all the money in the world for just 5 percent of the world’s population. The list of what it would take to strengthen our colleges and universities is short and mostly agreed upon. First, stop sending home every year 17,000 of the 50,000 international students who graduate from U.S. universities with advanced degrees in science, technology, engineering, and mathematics. Give them a green card and let them stay here to create jobs in the United States.

Next, double funding for advanced research, as the America COMPETES Act, which passed with huge bipartisan

support in the Senate, has already authorized.

Third, repeal the Federal Medicaid mandates that force States to spend money on Medicaid that otherwise would go to higher education. This has resulted in dramatic decreases in State support and increases in tuition to try to maintain quality.

Next, while Congress is repealing the Medicaid mandates, it should literally cut in half the stack of regulations that hampers institutional autonomy and wastes dollars that should be spent on students and research.

Finally, the institutions themselves should look for ways to save money, such as full utilization of facilities during the summer, 3-year degrees for some students, and reforms to teacher tenure.

In the 1960s, Mitt Romney's father, George Romney, offered this advice to the big three Detroit automobile manufacturers:

Nothing is more vulnerable than entrenched success.

The big three did not pay attention to that advice, and we see what happened. It is good advice for universities today.

In conclusion, I wish to say a word about the Carnegie libraries. My experience is that most ideas fail for lack of the idea; or to put it positively, that a great idea eventually carries itself into reality. Andrew Carnegie's great idea was building public libraries. All of us know of their importance.

I remember when the New York Times wrote an article about me. They said, Mr. ALEXANDER grew up in a lower middle-class family at the edge of the Tennessee mountains. When I called home later that week to talk with my mother, she was reading Thesalonians to gather strength for what she considered to be a slur on the family. She said to me: Son, we never thought of ourselves that way. You had a library card from the day you were 3 and a music lesson from the day you were 4. You had everything you needed that was important.

Andrew Carnegie's gift and the Federal laws 150 years ago creating land grant universities and the National Academy of Sciences and the transcontinental railroad and the Homestead Act all have this in common. They were not command-and-control Federal Government actions from Washington, DC. They were big ideas that, when implemented, empowered Americans to do things for themselves—to travel, to own a home, to educate themselves, and to learn by using a library.

For example, my empowered mother took me to the A. K. Harper Memorial Library in Maryville, TN, when I was 3 years old in order to get my library card. "Mrs. Alexander," the librarian said to her, "we don't give library cards to 3-year-olds." "Well, you should," she said to them. And they did.

So on this anniversary for the congressional enactment of transforming

and empowering ideas, there should be more hope than despair. We still have most of the world's great universities. They still attract most of the brightest students from everywhere, insourcing brainpower and creating wealth.

According to a recent Harvard School of Business survey of 10,000 of its alumni on U.S. competitiveness, if you are in business in this country, it is still hard to beat America's entrepreneurial environment, proximity to customers, low levels of corruption, access to skilled labor, safety for people and property, and protection of intellectual property.

We have a remarkable system of government created by geniuses that many countries struggle to emulate. So why not celebrate this anniversary by taking steps to ensure that 25 or 50 or 100 years from now we have even more of the greatest universities in the world?

Let me read exactly what Australia's Foreign Minister, Bob Carr, a friend of the United States, said in his speech in April:

America could be one budget deal away, in the context of economic recovery, one budget deal away from banishing the notion of American declinism. Think about that, one budget deal, an exercise of statesmanship up the road, in the context of an economic bounce-back and all of a sudden, with energy independence crystallizing, with technological innovation, resurgence of American manufacturing, people who spoke about American decline could be revising their thesis.

So as we celebrate the transforming legislation of 150 years ago, why not take the advice of our friend from Australia? Why not take advantage of our opportunity at the end of this year to enact a budget that will reassert Americans' preeminence in the world?

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### HONORING OUR ARMED FORCES

##### ARMY MASTER SERGEANT GREGORY CHILDS

Mr. BOOZMAN. Mr. President, as the son of a master sergeant in the Air Force, I grew up in a family that had values rooted in military tradition and patriotism. But you certainly don't have to be from a military family to love our country. We are encouraged to have a sense of American pride in our daily lives.

I remember reciting the Pledge of Allegiance and singing patriotic songs that reflect the love of our country. Students continue to do this and to learn these values passed down from generations of Americans before them. We have special days that recognize the people and symbols important to our country.

Two weeks ago, we celebrated Flag Day and next week we celebrate Independence Day. The 3 weeks between these patriotic holidays is known as Honor America Days. You most likely won't find these on your calendar, but

Congress established these days and adopted it into the U.S. Code to encourage gatherings and activities that celebrate and honor our country.

While these days are not widely recognized, one of the ways Americans demonstrate our devotion to our country is by supporting our men and women in uniform. These troops have made enormous sacrifices to defend our country and our interests across the globe. These heroes are shining examples of the spirit, commitment, and bravery of our Nation.

During my time in Congress, I have had the opportunity to travel and meet with our troops across the globe and thank them personally for their sacrifices to make our world a better place. These men and women are always in my thoughts and prayers. I thank our military personnel and our veterans for their valued service and offer my sympathy to those families whose loved ones have given their all in defense of our Nation.

This includes the family of Arkansas soldier Army MSG Gregory Childs. Master Sergeant Childs died on May 4, 2012, while serving in Afghanistan in support of Operation Enduring Freedom. His family and the community of Warren, AR, paid their respects to Master Sergeant Childs, a father, a son, a brother and a friend, in a very moving ceremony.

Master Sergeant Childs graduated from Warren High School in 1992. He considered it an honor to serve his country in the military. For 20 years he served his country in locations around the globe, from Bosnia, Germany, Colombia, and two tours in Afghanistan. He excelled through the ranks of the Non-Commissioned Officer Corps and earned one of the highest ranks he could attain.

I ask my colleagues to keep his family—especially his young daughter Kourtlan—and his friends in their thoughts and prayers during these difficult times. I humbly offer my appreciation and gratitude to this patriot for his selfless sacrifice.

As the home to literally thousands of active-duty military personnel and even more veterans, Arkansas has experienced more than its share of grief and sacrifice for loved ones who serve our country. Our State has a rich history of service to our Nation. Troops stationed in Arkansas have served our country honorably even before it was admitted to the Union. Our men and women have always been willing to do their part to serve and to protect. Our troops stationed in Arkansas and our military facilities at the Little Rock Air Force Base and the 188th Fighter Wing are some of the best assets in our military. Arkansans' active-duty personnel and National Guardsmen have time and again proven their dedication, perseverance, and commitment to excellence in defending this country.

As we plan our Independence Day celebrations, let us remember the service men and women who embody the

ideals that make our country great. I know my fellow Arkansans share my gratitude and appreciation for our military personnel and their families who sacrifice at home while their loved ones are away.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

SYNTHETIC DRUG AND PDMP AMENDMENTS

Mr. PORTMAN. Mr. President, I rise to talk about a couple of amendments that were included in the legislation we voted on here this afternoon in the Senate. I am speaking of the Food and Drug Administration legislation. That legislation included two very important amendments that deal with combating legal drug abuse here in this country.

I want to start by thanking my colleagues, Senators SCHUMER, KLOBUCHAR, GRASSLEY, and ENZI, for helping to develop and promote this legislation over many months. The legislation addresses what is called synthetic drugs. I also want to thank them for helping see it through to passage as an amendment today.

Senator GRASSLEY actually shared with me a story a few weeks ago of a young man from Iowa, David Mitchell Rozga, an 18-year-old, who sadly took his life after using this synthetic drug known as K2, or spice. It is synthetic marijuana. He had purchased it legally at a local shopping mall.

In recent weeks, we have seen lots of news accounts of some of the savage acts committed by people high on these synthetic drugs, such as the widely reported cannibalism in Miami, FL. I saw today another horrible story about another man in Waco, TX. We have seen lots of deaths reported in my home State of Ohio due to synthetic drugs. Very recently we had a report of the Columbus, OH, police having to shoot two men who were high on what are called bath salts. One was shot fatally. There is synthetic marijuana out there, but also synthetic stimulants and synthetic hallucinogens. Unfortunately, people don't know they are dangerous because they are not illegal. So we need to act and act now, and we are doing so through this legislation today.

As I said, one of the drugs is called spice. It sounds like an ingredient you would find in a kitchen, something benign you would find on a shelf somewhere. The same with bath salts. Unfortunately, they are not benign at all. They are not what you think they are. They are dangerous compounds that can cause tremendous devastation, and we need to be sure we get the word out.

Users are led to believe they are getting a legal version of something that mimics marijuana, cocaine, LSD, or any other illegal street drug that is under what is called Schedule I of the Federal Food and Drug Administration. This means they are illegal drugs. But because these synthetic drugs are legal, again, users think they are safe. But they produce adverse reactions

that are truly unexpected and sometimes bizarre. And like the street versions that are on Schedule I at the Federal level, the Drug Enforcement Agency and the FDA have both concluded none of these drugs has any currently accepted medical use in treatment in the United States.

It seems to me it is appropriate for us to list them under Schedule I. And again, that is what the Senate did today, following the House of Representatives. Because they are legal, they are accessible, particularly on the Internet. I have Googled a number of them, including K2, and it is alarming to see how easy it is to purchase them and how they are advertised. It is time to put them on Schedule I, just like street drugs, and by doing so we give the DEA the ability to prevent these drugs from being distributed or imported into the United States, and also allows them to pursue the manufacturers of these drugs.

A lot of families have suffered from synthetic drugs, and sometimes those families come to me. I have done a lot of work over the years in prevention and education of substance abuse. I started a coalition back home that continues to do great work in the greater Cincinnati area. I have been involved in encouraging community coalitions around the country, and I am hearing more and more about these synthetic drugs. Families come to me because they are hoping something positive will come out of the tragedies they have experienced; that the word will get out through these tragedies and other young people and adults won't lose their lives.

I heard one such story in the Senate about the family of Caleb Tanner Hixson in Riceville, TN.

Tanner was a student at Lee University in Cleveland, TN, majoring in exercise and health science. After graduating, he wanted to study for an advanced degree in physical therapy. Besides studying in that field, he was an avid athlete and outdoorsman. He had played competitive baseball his whole life, and he was also into hiking and canoeing. But all that promise was cut off on March 8 of this year when Tanner died as a result of a cardiac arrest after ingesting alcohol and a synthetic drug at a party in Chattanooga, TN. He was 22 years old. That drug is easily purchased on the Internet. In fact, it is identified on the Internet as being a "research chemical."

His cousin, Brandi White, was the one who told me about this incident on the Senate floor. Brandi actually works in the leadership office. I appreciated her sharing this story with me, and my heart goes out to her family. She said she called Tanner's mom to tell her about the legislation when we got it onto the bill, and she called her again today to tell her the legislation had passed. Although it is little comfort when you have lost a son, it is some comfort. I appreciate the fact that her family was willing to share

that story so that other young people will not make that same mistake.

This legislation puts these dangerous drugs on what is called schedule I. We don't want one more young person to make one more bad decision and to die or have a serious health problem as a result of thinking these synthetic drugs are safe because Washington hasn't put them on the list to tell people they are unsafe.

If we want to do right by the safety and health of our children as well as our communities, closing this loophole, of course, was just something commonsense—and, by the way, something bipartisan, along the lines of what my colleague said earlier about how we ought to be operating in the Senate.

I am also proud to see bipartisan support for passage of another amendment today. This is legislation that I introduced with Senator WHITEHOUSE along with Congressman HAL ROGERS from Kentucky. This deals with the prescription drug problem we have. There is a prescription drug abuse problem throughout the country, but in Ohio we have been hit hard. One of the issues I found in going to a townhall in southern Ohio was the fact that the State prescription drug monitoring programs couldn't communicate and operate across State lines.

I did a townhall where Director Gil Kerlikowse of the Office of National Drug Policy kindly came to Portsmouth, OH, about 1 year ago in July 2011, which is in southern Ohio on the banks of the Ohio River, an area that has been in the center of prescription drug abuse and interstate drug trafficking. It is also right across the river from Kentucky and right near West Virginia, so it is an interstate area.

Prescription drug abuse has devastated the county in which Portsmouth sits, Scioto County, as well as other counties in the area. But because of the hard work of family members, community leaders, and Federal, State, and local law enforcement, there has been some momentum and we are beginning to turn things around. Pill shops are being closed. One critical tool they told me they needed was prescription drug monitoring programs that could work across State lines. This is a database that a lot of States use to monitor prescription drug abuse so when someone goes to ask for a prescription, the person responsible for implementing the program or someone at a pharmacy or a doctor knows what prescriptions this person has already received. These are very effective programs.

Forty-eight States have them, one territory has it, and they work well within the State but they don't communicate well within the States, between each other. Again, in a place such as Scioto County, where we have interstate traffic, this legislation will now protect our community and ensure that if someone gets a prescription in Ohio and then goes across to Kentucky to fill it once they have reached their

limit in Ohio, that there will be a monitoring program and a database available. So it succeeds by getting States' different programs to work together securely, reliably, and efficiently.

I would also like to thank the Alliance of States with Prescription Monitoring Programs, which has played a pivotal role in promoting national interoperability standards.

These are examples where the Senate acted to try to make our communities safer and to help ensure that young people can achieve their God-given potential. Working together, we have been able today to help ensure the health and well-being of our communities.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent 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.

#### FREEDOM OF INFORMATION ACT

Mr. LEAHY. Mr. President, on July 4, the Nation will celebrate the 46th anniversary of the enactment of the Freedom of Information Act, FOIA. The "right to know" is a cornerstone of our Democracy. For five decades, Americans have counted on FOIA to help shed light on the activities of their government.

As we reach this important milestone, there are many victories to celebrate. This week the Senate will enact the Food and Drug Administration Safety and Innovation Act, which includes important language that I helped craft to protect the public's ability to access information under FOIA. Section 710 of that bill will allow the Food and Drug Administration, FDA, to obtain information about drug inspections and drug investigations undertaken by foreign governments, while at the same time ensuring that the American public has access to information about potential health and safety dangers. I thank Senators HARKIN and ENZI and the many open-government and consumer groups—including OpenTheGovernment.org and Public Citizen—who worked with me to enact this FOIA provision.

Last year the Senate unanimously passed the Faster FOIA Act, a bill that I cosponsored with Republican Senator JOHN CORNYN. This legislation would create a bipartisan panel of govern-

ment and outside experts to make recommendations on improving the FOIA process. Sadly, despite the overwhelming and bipartisan support for this good-government legislation, this bill has been languishing in the House of Representatives for almost a year.

During the 3 years since President Obama made a historic commitment to restoring the presumption of openness in our government, the Obama administration has also taken steps to strengthen FOIA. I especially want to commend the Office of Government Information Services—and the inaugural Director of the OGIS, Miriam Nisbet—for working with the Environmental Protection Agency and the Department of Commerce to develop an online FOIA Module designed to help agencies better meet their requirements under the FOIA. This new FOIA program reaffirms the President's commitment to transparency in our government and will make government information more accessible to the American people.

While these and other FOIA accomplishments give us good reasons to celebrate, many other threats to the public's right to access information under FOIA remain. In the coming weeks the Senate is expected to consider several legislative exemptions to FOIA in relation to cybersecurity legislation. As this legislative process unfolds, I intend to work with Members on both sides of the aisle to ensure that the American public's ability to access information about threats to their health and safety in cyberspace is protected.

Securing our Nation's critical infrastructure information is a pressing national priority. So, too, is protecting the rights of Americans to know what their government is doing. We must strike a careful balance between security and openness in our cybersecurity policies. The anniversary of FOIA's enactment provides a timely reminder of just how important it is for the Congress to get that balance right.

As I have said many times before, open government is neither a Democratic issue, nor a Republican issue—it is truly an American value and virtue that we all must uphold. It is in this bipartisan spirit that I will continue to work to fulfill FOIA's promise of openness in our government and that I join all Americans in celebrating the 46th anniversary of the Freedom of Information Act.

#### TRIBUTE TO THE U.S. ARMY INTELLIGENCE COMMUNITY

Mr. McCAIN. Mr. President, it is my distinct privilege to honor the outstanding men and women who have made lasting contributions to U.S. Army Intelligence over the years. On July 1, 2012, MG Gregg C. Potter, commanding general of the U.S. Army Intelligence Center of Excellence and Fort Huachuca, will officially recognize the 50th anniversary of the found-

ing of the Military Intelligence Branch and the 25th anniversary of the Military Intelligence Corps at Fort Huachuca, AZ. This is a momentous occasion, and I congratulate all Army intelligence professionals—soldiers and civilians alike—on these distinguished achievements.

Timely and accurate intelligence information has always been critical to the success of our Armed Forces on the battlefield. Across all intelligence disciplines, Army intelligence professionals have collected, analyzed, and supplied this vital information to commanders at all levels—from the tactical to the strategic. The intelligence information they supplied has directly contributed to winning our Nation's wars and to saving lives. Army Intelligence professionals have carried out this mission with great courage, devotion, and skill since we declared our independence 236 years ago. We recognize this legacy and look forward to Army intelligence's continued success and service to our country in the future.

Two critical events shaped the Military Intelligence Corps into the organization that exists today.

On July 1, 1962, the Secretary of the Army signed a general order authorizing the creation of the Army Intelligence and Security Branch. With this authorization, all Army intelligence soldiers, including regular Army and Reserve officers, were placed into a distinct branch. It ended the practice of detailing officers from other branches into intelligence positions and facilitated the professionalization of the intelligence field. By establishing a branch equal to all others, the Army recognized the critical importance of military intelligence.

On July 1, 1987, the Military Intelligence Corps was activated at Fort Huachuca. With the activation of the Corps, all Army intelligence professionals, regardless of their discipline, were symbolically bound together into one unified organization under the U.S. Army Regimental System. Since its activation, the unity of purpose and mission of the Military Intelligence Corps has remained vital to the success of the Army.

Today, the U.S. Army Intelligence Center of Excellence at Fort Huachuca is the home of military intelligence. Every year, the center trains approximately 20,000 students in the intelligence field, including initial military training, professional military education courses for all ranks and intelligence specialties, mobile training teams, and foreign military students.

I am immensely proud of the men and women in the U.S. Army intelligence community. They work tirelessly to protect our Nation and deserve our deepest gratitude for the sacrifices they have made. As indicated by their motto "Always Out Front," Military intelligence will remain a critical element of the readiness of our Armed Forces.