

S. 881

At the request of Ms. LANDRIEU, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 961

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 961, a bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes.

S. 1102

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1102, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 1269

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1269, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1421

At the request of Mr. PORTMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1605

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1605, a bill to amend the Fair Housing Act, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms.

SNOWE) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

At the request of Mrs. HAGAN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Rhode Island (Mr. REED), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1935, supra.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3186

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3186, a bill to make it unlawful to alter or remove the identification number of a mobile device.

S. 3203

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3203, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3239

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3244

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3244, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 3269

At the request of Mr. PAUL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3269, a bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed.

S. 3384

At the request of Mr. BAUCUS, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 3384, a bill to extend supplemental agricultural disaster assistance programs.

S. 3395

At the request of Mr. MERKLEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3395, a bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs.

S. 3397

At the request of Mr. HATCH, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 3397, a bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes.

S. 3423

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3423, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 3427. A bill to permanently extend the employer-provided child care credit under section 45F of the Internal Revenue Code of 1986; to the Committee on Finance.

Mr. KOHL. Mr. President, we know taxes are scheduled to increase for all Americans next year, and we know an across-the-board tax increase on all Americans would be very bad for our economy. What we disagree on is which tax cuts should be continued.

Unfortunately, this has become a highly partisan debate. Someone watching this debate would assume we cannot agree on anything when it comes to taxes, but they would be wrong. We do agree on far more than we disagree. We agree that middle-class tax rates should not go up. We agree that the alternative minimum tax should not affect middle-class taxpayers. We agree on a variety of tax breaks that help families raise children and invest in their education. Our disagreements elsewhere should not stop

us from acting where we do agree. We should cut through the partisan gridlock and pass the policies we all support.

One policy we can all support is a tax credit for companies that provide childcare to their workforce. This is a powerful and proven incentive for business—especially small business—to arrange onsite childcare for their employees.

I originally introduced this tax credit after we passed welfare reform in 1996. The purpose of welfare reform was to move recipients off benefits and into jobs—a path of financial freedom that is too often blocked by the lack of quality and affordable childcare. After years of work, we finally passed the employer-provided childcare tax credit in 2001. Since then, it has offered businesses a tax credit for building and maintaining a childcare center. Businesses can also receive a smaller tax credit for helping their employees find childcare elsewhere in the community.

Childcare is a good investment for employee and employer alike. Businesses get employees who miss less work to deal with family issues and stay at their jobs longer. Parents know their children are safe, sound, and close by while their mom or dad is at work. They do not have to choose between putting food on the table and caring for their children.

Now is not the time to add another stress to overstressed working families struggling to survive in a down economy. That is why today I am introducing a bill to continue the tax credit for employer-provided childcare. We all agree the employer-provided childcare tax credit should not expire. It is included in both tax bills we are considering this week and we should extend it now.

But support for childcare isn't the only thing the Republican and Democratic tax bills agree on. In fact, these two bills offer the same exact tax cut extension for the first \$250,000 earned by every American family. If a family makes \$1 more than that, they still get the same tax cut extension on their first \$250,000. Even millionaires get the same tax cut extension as everyone else. Everybody, including the wealthiest Americans, benefits from the tax cuts we all can and do support.

Bipartisan policies, such as a tax credit for employer-provided childcare or middle-class tax cuts, should not be held hostage because of a partisan debate about other tax cuts. When we all can agree on something, we should vote for it.

By Mr. CARDIN:

S. 3428. A bill to amend the Clean Air Act to partially waive the renewable fuel standard when corn inventories are low; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am proud to introduce the Renewable Fuel Standard Flexibility Act. I am introducing this bill because I have grave

concerns about the impacts the Federal mandate for corn ethanol production is having on the price of food in this country and the cost of domestic food production.

Corn is a staple of the modern American diet that has become a ubiquitous ingredient or additive in most of our food and it is fed as feed to nearly all livestock animals. The fact is, most meals Americans consume either has corn as an essential ingredient or consist of ingredients that required corn to produce. From milk, to eggs, to beef to poultry, to bread, to soft drink, and most prepared frozen meals corn—is essential to American food.

The first section of Michael Pollan's 2006 Best Seller *The Omnivore's Dilemma: A Natural History of Four Meals* is titled "Industrial Corn" and it explains just how omnipresent corn, in some form or another, is in American diets. For better or for worse, the vast majority of the food found on American supermarket shelves is made from processed corn. When it comes to the animal proteins Americans consume most of these animals were raised on corn diets.

For decades, America's corn growers were out producing demand for corn and food producers, and consumers benefited from relatively low corn prices that ranged around \$2 a bushel. While consumers may have benefitted from these prices, American corn and grain growers were hurting badly.

Since 2007, the tides have been turning significantly. National demand for corn is at an all-time high and corn futures project corn reaching \$8 a bushel in the near future. A growing and hungry nation combined with new demands for corn that are the result of technological innovations have created new uses for corn in the form of ethanol as both a motor fuel additive and in plastics. These new uses, combined with expanded traditional uses have fueled the upward spike in corn prices.

Corn growers have benefitted tremendously from the increased demand and high corn prices. Ethanol producers have enjoyed a variety of government supports mandating levels of ethanol production which have helped them weather high corn prices paying a high price for corn feedstocks is relatively easy when you have enormous production tax credits and a federally mandated market for your product.

Food producers, including livestock and poultry producers, who use tremendous amounts of corn to raise their livestock and produce food, do not have the luxury of a mandated market for their products.

In Maryland, our number one agricultural product is poultry. Poultry production is far and away the top employer on Maryland's Eastern Shore. Maryland poultry is hurting and it is because they are competing with big oil, and other non-traditional users, for corn. Corn is vitally important to raising chickens. Unlike other livestock, like cattle or hogs which are

ruminants that can eat a variety of different types of feed, chickens' diets are limited to corn. Feed makes up more than 73 percent of the cost of raising poultry and when corn reaches \$6.50 or \$7.00 or even \$8.00 a bushel that cost goes even higher.

I understand the important role domestic ethanol production will play in helping our nation achieve greater energy security. However, the nurturing and growth of our domestic biofuels industry must not come at the expense of our domestic food supply. In other words, we cannot sacrifice U.S. food security for energy security. That is why I do not support the use of food based feedstocks like sugar and corn to be commercially produced into ethanol.

I also believe that as global demand for oil increases, driven by increased mobility and affluence spreads in the developing world, renewable biofuels will compete well with oil and that the government supports we have in place will not be necessary because pure market demand for less expensive and cleaner burning fuels like ethanol will drive growth in biofuel production, not government mandates.

Because domestic food production is reaching a state of crisis driven by the increasing cost of inputs, like corn, that the food producers have to unfairly compete with industries that are operating with under government production mandates I am introducing legislation today that offers a simple change to the Renewable Fuel Standard that will help provide our domestic food producers access to corn.

This legislation will link the amount of corn ethanol required for the RFS to the amount of U.S. corn supplies. This legislation sets up a process so that when the USDA reports on U.S. corn supplies towards the end of each year, based upon the ratio of corn stocks-to-expected use, there could be a reduction made to the RFS mandate for corn ethanol. This is a common sense solution to make sure that we have enough corn supplies to meet all of our corn demands.

Once a year, the Administrator of the Environmental Protection Agency will review the current corn crop year's ratio of U.S. corn stocks-to-use ratio in making a determination of the RFS.

By the end of November the Administrator of the Environmental Protection Agency will make an official determination of the Renewable Fuels Standard, RFS, corn ethanol mandate for the following calendar year, based on the U.S. Department of Agriculture's November World Agricultural Supply and Demand Estimate report to determine the U.S. corn stocks-to-use ratio. The administrator shall provide for a waiver for the RFS for the following calendar year according to the calculated stocks to use ratio as directed. Such a waiver, if required, shall be included in the Environmental Protection Agency's Federal Register notice regarding the RFS for the following calendar year. The required

waiver, if any, will take effect January 1 of the new calendar year.

Stocks-to-Use Ratio Percent	Waiver to the Renewable Fuels Standard for Corn Ethanol
Above 10.00 .....	no adjustment
10.00 to 7.50 .....	10 percent reduction
7.49 to 6.00 .....	15 percent reduction
5.99 to 5.00 .....	25 percent reduction
Below 5.00 .....	50 percent reduction

I believe the future of biofuels must be in the development and production of cellulosic and advanced biofuels that are not derived from feedstocks that are part of essential food sources. As a supporter of bringing cellulosic and advanced biofuels to market, my legislation explicitly states that it “shall not affect the volume of advanced biofuels required under” the Renewable Fuel Standard. This will leave intact the advanced biofuels production mandate which I believe is critical to growing this still nascent and beneficial fuel product to commercial viability.

Because of corn’s many uses it has become a commodity that is in high demand. Assuring our domestic food producers’ access to this valuable and increasingly scarce crop is so important to controlling the cost of food in America and maintaining the economic viability of our U.S. food companies. I urge my colleagues to support U.S. food producers and families working to put food on the table by co-sponsoring the Renewable Fuel Standard Flexibility Act.

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

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

S. 3428

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Renewable Fuel Standard Flexibility Act”.

**SEC. 2. PARTIAL WAIVER OF RENEWABLE FUEL STANDARD.**

Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended by adding at the end the following:

“(G) CONSIDERATION OF CORN INVENTORIES.—

“(i) DETERMINATIONS REGARDING CORN STOCKS-TO-USE RATIO.—Not later than November 30 of each year, the Administrator shall determine and publish the estimated United States corn stocks-to-use ratio for the applicable crop year—

“(I) in consultation with the Secretary of Agriculture; and

“(II) based on the most recent publication of the World Agricultural Supply and Demand Estimate or other similar authoritative estimate issued or used by the Secretary of Agriculture.

“(ii) WAIVER.—Based on the most recent determination of the Administrator under clause (i), the Administrator shall waive the requirements of paragraph (2) by reducing the national quantity of renewable fuel otherwise required for a period as follows:

“United States Corn Stocks-to-Use Ratio for the Applicable Crop Year (percent)”	Reduction in national quantity of renewable fuel required
Above 10.00	No adjustment
10.0-7.5	10 percent reduction
7.49-6.0	15 percent reduction
5.99-5.0	25 percent reduction
Below 5.0	50 percent reduction

“(iii) DURATION.—A waiver under clause (ii) that is based on a determination under clause (i) that is made not later than November 30 of a calendar year shall—

“(I) take effect on the date that is 30 days after the date on which the determination is published; and

“(II) remain in effect for the following calendar year.

“(iv) ADJUSTMENT OF RENEWABLE FUEL OBLIGATION.—On granting a waiver under clause (ii) that reduces the national quantity of renewable fuel required for a period to which paragraph (3) applies, the Administrator shall adjust the renewable fuel obligation determined under paragraph (3) in proportion to the reduction.

“(v) NO EFFECT ON REQUIRED VOLUME OF ADVANCED BIOFUEL.—

“(I) IN GENERAL.—A waiver granted under this subparagraph that reduces the national quantity of renewable fuel required for a period shall not affect the volume of advanced biofuel required under paragraph (2).

“(II) APPLICABILITY.—The Administrator shall not allow any volume of conventional biofuel to be used to satisfy the requirement for advanced biofuel under paragraph (2).

“(vi) PUBLICATION.—The Administrator shall publish each waiver under clause (ii) in the Federal Register, including an explanation of the basis for the waiver.”.

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**SUBMITTED RESOLUTIONS**  
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**SENATE RESOLUTION 525—HONORING THE LIFE AND LEGACY OF OSWALDO PAYA SARDINAS**

Mr. NELSON of Florida (for himself, Mr. MENENDEZ, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 525

Whereas, on Sunday, July 22, 2012, 60-year-old Cuban dissident and activist Oswaldo Payá Sardiñas died in a car crash in Bayamo, Cuba;

Whereas, at a young age, Oswaldo Payá Sardiñas criticized the communist government in Cuba, which led to his imprisonment at a work camp on Cuba’s Isle of Youth in 1969;

Whereas, in 1988, Oswaldo Payá Sardiñas founded the Christian Liberation Movement as a nondenominational political organization to further civic and human rights in Cuba;

Whereas, in 1992, Oswaldo Payá Sardiñas announced his intention to run as a candidate to be a representative on the National Assembly of Popular Power of Cuba and, 2 days before the election, was detained by police at his home and determined by Communist Party officials to be ineligible to run for office because he was not a member of the Communist Party;

Whereas, in 1997, Oswaldo Payá Sardiñas collected hundreds of signatures to support

his candidacy to the National Assembly of Popular Power, which was rejected by the electoral commission of Cuba;

Whereas the Constitution of Cuba supposedly guarantees the right to a national referendum on any proposal that achieves 10,000 or more signatures from citizens of Cuba who are eligible to vote;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement created the Varela Project, a signature drive to secure a national referendum on “convert[ing] into law, the right of freedom of speech, the freedom of press and freedom of enterprise”;

Whereas, in May 2002, the Varela Project delivered 11,020 signatures from eligible citizens of Cuba to the National Assembly of Popular Power, calling for an end to 4 decades of one-party rule, to which the Government of Cuba responded by beginning its own referendum that made Cuba’s socialist system “irrevocable”, even after an additional 14,000 signatures were added to the Varela Project petition;

Whereas the Varela Project is the largest civil society-led petition in the history of Cuba;

Whereas Oswaldo Payá Sardiñas bravely led the Varela Project at great risk to himself, his loved ones, and his associates;

Whereas, in March 2003, the Government of Cuba arrested 75 human rights activists, including 25 members of the Varela Project, in the crackdown known as Cuba’s “Black Spring”;

Whereas Oswaldo Payá Sardiñas’s dedication to freedom and faith earned him the Sakarov Prize for Freedom of Thought from the European Parliament in 2002;

Whereas Oswaldo Payá Sardiñas received the W. Averell Harriman Democracy Award from the United States National Democratic Institute for International Affairs in 2003;

Whereas Oswaldo Payá Sardiñas was nominated for the Nobel Peace Prize by Václav Havel, the former president of the Czech Republic, in 2005; and

Whereas President Barack Obama stated, “We continue to be inspired by Payá’s vision and dedication to a better future for Cuba, and believe that his example and moral leadership will endure.”; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and honors the life and exemplary leadership of Oswaldo Payá Sardiñas;

(2) offers heartfelt condolences to the family, friends, and loved ones of Oswaldo Payá Sardiñas;

(3) praises the bravery of Oswaldo Payá Sardiñas and his colleagues for collecting more than 11,000 verified signatures in support of the Varela Project;

(4) in memory of Oswaldo Payá Sardiñas, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba;

(5) in memory of Oswaldo Payá Sardiñas, calls on the Government of Cuba to provide its citizens with internationally accepted standards for civil and human rights and the opportunity to vote in free and fair elections; and

(6) calls on the Government of Cuba to allow an impartial, third-party investigation into the circumstances surrounding the death of Oswaldo Payá Sardiñas.