

who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 201, strike "Andrew Connelly" and insert "Andrew Conolly".

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored and grateful to follow that very enlightening and energetic exchange between two of the most able and respected Members of this body on a range of issues.

One of them I want to address now, and I want to particularly thank the Presiding Officer for his contribution, my distinguished friend from Minnesota, who has really addressed so instructively some of the privacy concerns in various proposals in an amendment I have joined. I think his work on that issue is really reflective of the approach that has been brought to this issue of cyber security—an issue that this entire body, in my view, has a historic opportunity and also a historic obligation to address this week, deal with it now authoritatively and effectively and in a way that the Nation expects us to do it.

I thank not only the Presiding Officer but a bipartisan group of colleagues, beginning with Senators LIEBERMAN, COLLINS, ROCKEFELLER, FEINSTEIN, and CARPER, who deserve our appreciation for drafting this bill and bringing it to the floor, and a number of other colleagues, including, along with the Presiding Officer, Senators WHITEHOUSE, MIKULSKI, COONS, COATS, BLUNT, AKAKA, and KYL. I mention this number because I think it is an important fact about the process that has brought us to this point. It really reflects the kind of collegial approach that is so important to this legislation.

This legislation has undergone very significant and substantial revisions to reflect suggestions made by myself and our colleagues, and this bill will give the government and private sector an opportunity to collaborate and share information so that they can confront the ongoing, present, urgent cyber threat directly and immediately.

This bill is not a top-down approach; it is voluntary in its direction to the private sector. What it says to critical industries—industries that are critical to our infrastructure—is that you determine what the best practices are, you tell us what the standards should be, and then those standards will be shared throughout the industry and overseen by a council that the Departments of Commerce and Justice and Defense and Homeland Security will be involved in implementing. And if companies comply with those standards—voluntary standards—they receive benefits that will enlist them in the program, benefits that will form incen-

tives in the form of limited immunity in the event of an attack. If companies decline to comply, if they are not provided with sufficient incentives, in their judgment, there is no compulsion, no legal mandate that they need to do so. To use an often overused imagery, what we are talking about here is a carrot, not a stick, in solving one of the most pressing and threatening challenges our country faces today. It is the challenge of this moment, the challenge of our time.

I have been in briefings, as has been the Presiding Officer and other Members of this body, with members of the intelligence community and others who have, in stark and staggering terms, presented to us the potential consequences of failing to act.

Just last week, GEN Keith Alexander, the chief of the U.S. Cyber Command and the Director of the National Security Agency, said that intrusions on our essential infrastructure have increased 17-fold between 2009 and 2011 and that it is only a matter of time before physical damage will result. He has said that the loss of industrial information and intellectual property—putting aside the physical threat and taking only the economic damage—is “the greatest transfer of wealth in history.”

We are permitting with impunity the greatest transfer of wealth in history from the United States of America to adversaries abroad, companies based overseas, at a time when every Member of this body says our priority should be jobs and protecting the economy of this country. It is an economic issue, not just a national security issue. In fact, cyber security is national security.

The United States is literally under attack every day. General Alexander described 200 attacks on critical infrastructure within the past year. He alluded to them without describing them in detail. And on a scale of 1 to 10, he said our preparedness for a large-scale cyber attack—shutting down the stock exchange or a blackout on the scale comparable to the one in India within the past few days—is around a 3 on a scale of 1 to 10. That situation is unacceptable.

We are, in a certain way, in a period of time now that is comparable to 1993, after the first World Trade Center bombing. Remember, in 1993 the World Trade Center—1,336 pounds of explosives were placed in a critical area of the World Trade Center, killing 6 people, injuring 1,000, fortunately, at that point, failing to bring down the building, which was the objective. That first bombing was a warning as well as a tragedy. America, even more tragically, disregarded that warning in failing to act. We are in that period now, comparable to 1993 and before 9/11, when the country could have acted and neglected to do so. We cannot repeat that failure now. We cannot disregard the day-to-day attacks, the serious intrusions that are stealing our wealth and endangering our security, our critical grid, transportation, water treat-

ment, electricity, and financial system. The scale of damage that could be done is horrific, comparable to what 9/11 did. We have an obligation to act before that kind of damage is faced in reality by the country.

We have been adequately and eloquently warned on the floor of this body, in private briefings available to Members of this body, and in the public press, to some extent. One of the frustrations I think many of us feel is that we cannot share some of the classified briefings we have received which would depict in even more graphic and dramatic terms what this Nation faces. Some of these attacks are launched by foreign countries that seek to do us harm. Some are launched by domestic criminals who simply want to steal money. Some are sophisticated and some are very crude.

Former Deputy Secretary William Lynch has detailed just one attack in which a foreign computer hacker—or group of them—stole 24,000 U.S. military files in March of 2011. As others have noted on the floor as recently as a few minutes ago, in late 2011 the computers of the U.S. Chamber of Commerce were completely compromised for more than a year by hackers. Yet today the U.S. Chamber of Commerce has essentially opposed the voluntary standards-based plan to help secure our Nation against attack. In fact, how extraordinary it is that certain parts of this bill have actually combined a consensus among the business community, the privacy advocates, as well as public officials, the National Security Agency. That consensus on privacy, again, reflects a profound and extraordinary feature of this bill, which is that we are coming together as a nation to face a common problem in a way that is demanded by the times and threats we face.

Shawn Henry, the Executive Assistant Director of the FBI, has said that “the cyber threat is an existential one, meaning that a major cyber attack could potentially wipe out whole companies.” That is the reason the business community has been involved and should support these proposals.

These attacks are not only ongoing, they have been occurring for years. These criminals are infiltrating our communications, accessing our secrets, and sapping our economic health through thefts of intellectual property.

Finally, Secretary of Defense Leon Panetta, as has been frequently quoted, said:

The next Pearl Harbor we confront could very well be a cyber attack that cripples our power system, our grid, our security systems, our financial systems, our government systems.

The panoply of harm is staggering, and we cannot wait for that harm to be a reality to this country. The consequences comparable to 9/11 are tragic to contemplate. FBI Director Mueller has said the cyber threat, which

cuts across all programs, will be the No. 1 threat to our country.

FBI Director Mueller speaks the truth. We must make sure our government has the tools and authority they have asked for. The NSA, the Department of Defense, the Department of Homeland Security, our business community and privacy advocates are all united in feeling this threat must be confronted. We have the opportunity but we also have a historic obligation to make sure we move this bill and that it moves forward so we do not squander this opportunity.

I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

THANKING KATHARINE BEAMER

Mr. CARDIN. Mr. President, if I might, let me first thank Katharine Beamer for her service to the Senate and to the American people. She has been an incredibly valuable part of my staff, detailed from the Department of State to my Senate office. She has helped me deal with preparations for my responsibility, as the Presiding Officer knows, while serving on the Senate Foreign Relations Committee as we deal with the confirmation of ambassadors. It is important to be adequately prepared to deal with the many foreign visitors who come to our office and to deal with foreign policy issues.

I particularly want to thank her for her help in the so-called Magnitsky bill, a bill that passed out of the Senate Foreign Relations Committee and has been also supported in the Senate Finance Committee. She has been a critical part of our team in developing the necessary support so that bill could move forward.

I want to thank her for her help on the Cardin-Lugar provisions that provide transparency among mineral companies so we can trace the resources of developing countries, allowing those resources to benefit the strength of a country's economy rather than become a curse.

And I want to thank Katharine Beamer for her help on a lot of human rights issues she has been involved with, including the issue of Alan Gross.

Senator DURBIN has spoken on the floor and has brought to our attention the human rights violations of a Marylander who is today in a prison in Cuba. Alan Gross was providing help to a small Jewish community in Cuba. He wasn't doing it in any secret manner. He was trying to provide them a better opportunity to communicate with the Internet. He was very open about what he was doing in Cuba and was doing it in order to advance the ability of a community to keep in touch around the world.

As a result of that activity, Alan Gross, a Marylander, was arrested and imprisoned, tried and convicted, and sentenced to 15 years in prison. His appeal to the Cuban Supreme Court was denied in August of 2011. For the past 2½ years, since December 3, 2009, Alan

Gross has been imprisoned in Cuba—over 2½ years.

Throughout my legislative career, I have worked hard to improve the relationship between Cuba and the United States, particularly among the people of Cuba and the people of the United States. I have worked on ways to ease certain restrictions so we can improve the climate between our two countries. But what the Cuban Government is doing today in continuing to imprison Alan Gross is absolutely outrageous. It violates international human rights standards and it is against any sense of humanity.

I am going to continue to speak out about it and urge the Cuban authorities to do what is right. This has gained international attention and there have been efforts made by other dignitaries from other countries to try to get Alan Gross's case heard in a proper manner. I particularly want to acknowledge Senator DURBIN's extraordinary leadership on this issue. Senator DURBIN took the time, when he was in Cuba, to meet with Alan Gross. I have been with Senator DURBIN when we have met with Alan Gross's family. I have been with Senator DURBIN when we have tried to engage other international diplomats to implore the Cuban authorities on a humanitarian basis to release Alan Gross.

There was no reason for his arrest. There was no reason for his conviction. There is no reason for his being in prison today. But one doesn't have to get too much involved in that issue to suggest that the Cuban authorities should release Alan Gross on a humanitarian basis. I say that because his health is in question. Alan's health has steadily deteriorated during his imprisonment. He has lost over 100 pounds, suffers from a multitude of medical conditions, including gout, ulcers, and arthritis, that have worsened without adequate treatment.

Of equal concern as his own health are the conditions of his beloved mother and daughter, both of whom are suffering from cancer. The Gross family should not have to suffer through another day of this desperate situation without Alan at home for support.

So for all those reasons, we speak out today to once again urge the Cuban authorities to do the right thing as far as human rights and their legal system and release Alan Gross. They should do the right thing from a humanitarian point of view and let Alan Gross come home to his beloved family so he can be supportive of them during this difficult time in their lives. We urge them to do the right thing so we can have a better relationship between the people of Cuba and the people of the United States. They should release Alan Gross because it is the right thing to do.

We are going to continue to speak out about this. I know many of us have looked for different ways in which to help the Gross family and we will continue to do that. But the simple, right thing for the Cuban authorities is to

release Alan Gross today, and we urge them to do that.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak as in morning business for up to 12 minutes.

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

FINANCIAL STRENGTH

Mr. MANCHIN. Mr. President, I rise today to announce a rare opportunity for the people of my State, who care so much about the future of our country.

When I travel all around my beautiful State of West Virginia, one of the biggest concerns I hear from the people is simply that our Nation's finances are in such bad shape we could be the first generation that leaves this country and leaves our next generation in worse shape than we received it.

I am determined to make sure that doesn't happen, and I am sure the Presiding Officer is as well. I am determined to bring people together to fix our finances and put this country back on the right path. I am also determined that all our children and grandchildren will be able to live a more fulfilling and prosperous life than we do.

But we are running out of easy options to put our country's financial house in order. And every day we delay a big fix, the price will be higher, the changes will be more painful, and the choices will be more stark. With our country's finances so far out of control, all of the priorities we all care about—whether it is creating jobs, maintaining the best military in the world, keeping the core of vital programs such as Social Security, or educating the next generation—are in jeopardy.

If we care about rebuilding America—investing in our highways and our roads, our airports, our water and sewer systems—we cannot do it if we don't pay for it. If we care about creating jobs and giving our businesses certainty, we can't do that either if we can't pay for it. And if we care about educating the next generation and preparing this generation with the skill sets they need for the jobs of today and tomorrow, we can't do it if we can't pay for it.

If we care about having an energy policy that uses all of our domestic resources in the cleanest possible manner; if we care about developing technology for clean coal; if we care about finally ending our dependence on foreign oil from hostile countries, we can't do it if we can't pay for it.

If we care about having the best military in the world, one that can defend the liberty of this great Nation at home and, where needed, abroad, we simply can't do it if we can't pay for it.

If we care about helping the vulnerable, the sick, the weak, and keeping our vital core promises—such as Social Security, Medicare, Medicaid, and Head Start—we simply can't do it if we can't pay for it.

Any nation that wants to be a strong nation, that wants to invest in its priorities and wants to leave the country in better shape for the next generation cannot be shackled by crippling debt. If the Federal Government can't get its financial houses in order, the hard truth is all these priorities I spoke about will be slashed—sooner than any of us would like to admit.

Whether we consider ourselves a Democrat, a Republican, an Independent, or we have no affiliation at all; whether we consider ourselves a liberal, a conservative, or a centrist—wherever we fall in the spectrum—none of the priorities we care about on all those sides can happen unless we can pay for it. The old saying is as true today as it ever has been: You can't help others if you're not strong enough to help yourself.

It is time to make America strong again.

Let me give some troubling figures that illustrate how bad it has gotten: The debt hole we have dug for ourselves now equals the entire amount of goods this country produces; in other words, our gross domestic product. That hasn't happened since 1947.

Think of the next group of lawmakers who will be sitting where we sit in 2033, which is just around the corner. They are going to have to look Americans in the eye and tell them the Social Security check they are receiving will only be 75 percent of what is owed to them. They will have to say it is because the group who came before us didn't do their job.

Think of 10 years from now, truly around the corner, when every man, woman, and child in this country will owe more than \$79,000 to pay off our national debt. Today it is about \$50,700, which is way too high, but it is only going to get worse if we don't do our job and fix it.

There are 3 million jobs going unfulfilled in this country because they say the workforce doesn't have the right skills in order to perform those jobs, and our unemployment rate has been the highest for the longest period of time. That is not acceptable.

Who exactly is supposed to pay for all this debt? If we do the math, the picture isn't pretty. We are not balancing our budget, we are not training people for the jobs of the future, and we are leaving our children and grandchildren a massive debt that, as of today, equals the entire economic production of this great Nation.

To me, however we do the math—even if we use funny Washington accounting tricks—this situation adds up to a train wreck at best. I am determined to prevent this oncoming train wreck, and I will do all I can, working with my colleagues on both sides of the aisle. I have said people back home didn't send me to Washington to put the next generation into more debt. They sent me to, hopefully, help get them out of debt.

Putting this country back on the right path will hurt, but we have to be

willing to come together across party lines. We have to determine our highest priorities and make tough choices. That is what the people of West Virginia sent me to do, not to cater to any one special interest group.

There are plenty of politicians who will talk about fixing the problem, who will pay lip service to coming up with a plan, who will talk a good game—what we call talk the talk—but can't walk the walk. But in the end, the problem will continue to fester if we don't do something.

I am not one of those politicians who can turn a blind eye to our debt and walk away from it. The people of West Virginia expect more. They expect me to make hard choices and work with both Democrats and Republicans to do the right thing for our State. No matter how hard it will be to fix our problems—and it is clear everyone will need to have a little skin in the game and share these sacrifices—I am determined to do it.

But no Senator—no matter how committed they may be—can do it alone. That is why I am so pleased to announce that two of the Nation's greatest financial leaders will be coming to West Virginia to hold an open forum with the people of our State about the future of our finances, and we call that "Our Finances and Our Future." Former Senator Alan Simpson, a Republican from Wyoming, and Mr. Erskine Bowles, a Democrat who is the former White House Chief of Staff under President Bill Clinton, are two of the toughest and smartest people in this country when it comes to our finances.

Since I have been here, the most bipartisan effort to fix our finances has been led by Erskine Bowles and Alan Simpson. They were asked to head the President's National Commission on Fiscal Responsibility and Reform. It was bipartisan when it began, it has stayed bipartisan all this time, and it has grown with the number of Senators from both sides of the aisle who understand we need a big fix that comes from both sides of the aisle in a bipartisan way.

Bowles and Simpson paint a grim picture about the problems we are facing. In December of 2010, they laid out a serious blueprint for a solution—one that isn't perfect but that has earned more support from members of both parties than anything else that has been proposed in Washington.

Since then, too many of our leaders have put their heads in the sand about this proposal and the choices we face. But West Virginia is different from most of the States. We welcome the hard truth because we know we have to face the truth. Believe me, we can handle the truth in West Virginia.

On September 10, West Virginians will have an opportunity to hear some truth telling. I am so proud that Alan Simpson and Erskine Bowles will hold a forum, "Our Finances and Our Future: A Bipartisan Conversation about

the Facts," at our magnificent cultural center. They will present the facts—and there is no doubt the facts are dire—and lay out the magnitude of the problem we face, and then we will talk about solutions. It is a rare opportunity to have a frank bipartisan conversation about the grave conditions of our Nation's finances.

I am inviting all West Virginians—be it business, labor, senior groups, the young people who are expected to pay off our debt, and anyone else with an interest in our future—to come and participate in this session. We will talk about what this framework will do, which is to find the balance between revenue and spending, fundamentally changing our Tax Code and cutting spending. In short, it will make our system more fair.

Let's look first at the Tax Code. There are some Americans who, because of their connections and ability to hire lobbyists, have manipulated our Tax Code so they get special tax breaks. That is not right. Too many corporations that depend on the strength of this great Nation—as has been noted, such as G.E.—are paying nothing or virtually nothing in taxes. That is wrong. It is not right.

We need to make our tax system more fair and straightforward. The bipartisan Bowles-Simpson plan would end many of those loopholes and lower tax rates for everyone. When it comes to our spending, right now in this country we spend so much more than we can afford. I know so many Americans who tell me they would be more than happy to pay more—if we were using it in the right direction—to pay down our debt and to invest in infrastructure.

But we are not spending well. I have always said public servants can do one or two things with public tax money: We can either spend it or invest it. Frankly, we have been doing too much spending and not enough investing.

Our annual deficit—the amount we spend versus the amount we take in—is about \$1.2 trillion this year alone. Looking into the future, if nothing changes, we will have deficits every year for the next decade. No one can tell me we can sustain that pace and still afford Social Security, Medicare, Medicaid, defending this Nation, and educating our children. The math doesn't add up. The bipartisan Bowles-Simpson framework addresses this by cutting more than \$2 trillion for our spending over the next decade.

After we address our spending and our Tax Code, guess what happens. Our interest payments—the amount we are spending every year just for the privilege of borrowing money from countries such as China to finance our day-to-day operations—will go down nearly \$700 billion over the next 10 years.

That is the bipartisan Bowles-Simpson framework. Yes, it will have some painful cuts, and, yes, everyone will have to share in the sacrifice. But because the pain is spread out, no one takes too deep a hit. That is why I believe this proposed blueprint is the

only plan that has garnered any real show of bipartisan interest from the beginning of its inception to today.

When I became Governor of the great State of West Virginia, our State finances were in a tough place. We had to make very hard choices about our priorities, and not everyone was happy with those decisions. Seven or eight years ago, people believed West Virginia was hopeless; that we would always be challenged; that our finances would always be on the brink; that we wouldn't be able to invest in our priorities; that our economy would always be stagnant; that our credit ratings would always be miserably low; that we wouldn't be able to turn any of that around.

But I will tell you what. At the end of my term, we had lowered tax rates, reduced our food tax, ended our fiscal years with a budget surplus each and every year, and increased our credit rating three times in 3 years during the greatest recession because we put our priorities based on our values of what was important to West Virginia. Together, we weathered the recession better than 45 States. We are finally getting the last piece of our puzzle in place with a fix to the retirement system.

I can tell you this: I am not talking about fixing our Nation's finances from some ivory tower, from some rigid ideological position. I am talking about this country's finances because I know how much it costs all of us to live in debt. I know the burden of high interest payments and the way it robs us of the opportunity to pay for more important priorities. I know how much stronger this country will be when we manage our debt. I know because we came together in West Virginia and improved the quality of life in our State, and I know we can do it together in this country.

The truth is, Democrats don't have a lock on good ideas and neither do Republicans. But with less than 100 days to go before the election, we are not going to hear many Democrats giving Republicans any credit and we won't hear many Republicans acknowledging that Democrats have anything to bring to the table.

That is a true shame. We will not fix our problems with a go-it-alone attitude because the only way America has ever solved our problems is to put partisanship aside and come together for the good of this great Nation.

Put America first. The West Virginia fiscal summit is just one honest way we can take an important step toward, coming together to solve our problems and one more way for the people of West Virginia to show this great Nation that we can—and will—do the heavy lifting it will take to put this country back on the right track.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### RENEWABLE FUELS STANDARD

Mr. GRASSLEY. Mr. President, the president and CEO of Smithfield Foods,

Larry Pope, took to the opinion pages of the Wall Street Journal again to blame all that ails him on the renewable fuels standard for ethanol.

Some may recall he did the same thing back in April 2010 when commodity prices were rising. At that time, he perpetuated a smear campaign and blamed ethanol in an attempt to deflect blame for rising food prices while boosting Smithfield's profits. With this newspaper article, he is back at it again.

I start by referring to Mr. Pope as Henny Penny from the children's folktale "Chicken Little." Every time Smithfield has to pay a little more to America's corn farmers to feed his hogs, Mr. Pope starts with the same argument that the sky is falling, and it is all ethanol's fault.

Mr. Pope's opinion piece in the Wall Street Journal might lead some to believe he is very knowledgeable about the ethanol industry. But there are many areas of ethanol he doesn't know much about.

He continues to perpetuate the myth that ethanol production consumes 40 percent of the U.S. corn crop. Mr. Pope states: "Ethanol now consumes more corn than animal agriculture does."

Everyone with a basic understanding of a livestock farm—even a kernel of corn—or of an ethanol plant knows that is not a true statement. According to the U.S. Department of Agriculture, 37 percent of the corn crop is used in producing ethanol. But—and a very important but—the value of corn does not simply vanish when ethanol is produced.

One-third of the corn—that is, 18 pounds out of every 56-pound bushel—reenters the market as a high-value animal feed called dried distillers grain. I would imagine millions of hogs raised by our farms every year are fed a diet containing this ethanol co-product. For sure it is a very big feed product for cattle. Of course, Mr. Pope appears to be unaware of its existence.

When the distillers grains are factored in; that is, 18 pounds out of the 56 pounds that is left over after you make ethanol, 43 percent of the corn supply is available for animal feed. Only 28 percent is used for ethanol—unlike the 40 percent Mr. Pope says. This is the inconvenient truth of ethanol detractors. They prefer to live in a bubble where they believe ethanol is diverting corn from livestock use. That is just not the case.

Mr. Pope also proclaims that "ironically, if the ethanol mandate did not exist, even this year's drought-depleted corn crop would have been more than enough to meet the requirements for livestock feed and food production at decent prices."

I would like to ask Mr. Pope why he thinks that is the case. Why did farmers plant 96 million acres of corn this year when normally they would plant between 86 and 88 million acres of corn? Why have seed producers spent millions to develop better yielding and

drought-resistant traits so we can produce more corn on less acres? The answer is simple: Because this gigantic industry of ethanol is there to consume more corn and more production on each acre.

If not for ethanol, it is very clear farmers wouldn't have planted 96 million acres of corn this year because those are more acres of corn than farmers have planted in this country since 1938. Without ethanol, I doubt we would have seen investment in higher yielding and more drought-tolerant corn plants by our seed corn companies.

I happen to think Mr. Pope is an intelligent man, but he is woefully uninformed on the issue of what the ethanol industry and the demand for corn has done for the size and genetic improvement of the corn crop. It is easy to understand Smithfield's motives. They benefit from an abundant supply of corn, just not the competing demand for it.

What is Smithfield's primary problem? Again, the answer is simple: cost and profit. They still want to pay \$2 for a bushel for corn. This is an important point that I hope people understand. For nearly 30 years, until about 2005, companies such as Smithfield had the luxury of buying corn below the cost of production. Corn prices remained for about 30 years between \$1.50 a bushel and \$3 a bushel. Farmers routinely lost money. The Federal Government then provided economic support for the farmers. Producers such as Smithfield had the best of both worlds. They were able to buy corn below the cost of production, and they were able to let the Federal Government subsidize their business by guaranteeing a cheap supply of corn.

In the view of corporate livestock producers, subsidies are fine—if they allow them to buy corn below the cost of production. Anybody could look like a genius with that sort of a business model.

Mr. Pope also continues to overstate the impact of corn prices on the consumer. Agriculture Secretary Vilsack recently stated that farmers receive about 14 cents of every dollar spent on food at the grocery store. Farmers get 14 percent and everybody else gets 86 percent, yet the farmers of America are the problem? It happens that that 14 cents works out to be about 3 cents of that 14 cents is because of corn.

A research economist at the U.S. Department of Agriculture recently stated that a 50-percent increase in the price of corn will raise the total grocery shopping bill by about 1 percent. To put it in perspective, the value of corn in a \$4 box of corn flakes is about 10 cents.

Mr. Pope also exaggerated the impact of ethanol on food prices in 2010, and he is doing it again. He is using the devastating drought that we now have—over 62 percent of the country and worse in the Midwest, of Iowa where I live—to once again undermine our Nation's food, feed, and fuel producers,

and he is doing it—why? To make more money.

Repealing the renewable fuel standard will not bolster Smithfield's profits. Because of the flexibility built into the renewable fuels mandate, a waiver will not significantly reduce corn prices. A recent study by Professor Bruce Babcock, Iowa State University, found that a complete waiver of the renewable fuel standard—that is what the mandate is called—might reduce the corn prices by only 4.6 percent. That report goes on to state:

The desire by livestock groups to see the additional flexibility in ethanol mandates may not result in as large a drop in feed costs as hoped.

They continue:

... the flexibility built into the Renewable Fuels Standard allowing obligated parties to carry over blending credits from previous years, significantly lowers the economic impact of a short crop, because it introduces flexibility into that mandate.

The drought is enormous in both scale and severity. But we will not know the true impact until September when harvest begins. The latest estimates from the U.S. Department of Agriculture indicate an average yield of 146 bushels per acre. That would result in a harvest of 13 billion bushels. This would still be one of the largest corn harvests.

I suggest those claiming that the sky is falling withhold their call for waiving or repealing the renewable fuel standard. It is a premature action that will not produce desired results and it would increase our dependence upon foreign oil and it would drive up prices at the pump for consumers.

On another point with regard to taxes and the proposals around the Hill to increase taxes, I want to say that over the past few years my colleagues on the other side have come to the floor repeatedly to present a revisionist story regarding the fiscal history of the last two decades. On several occasions I have come to the floor to refute this history. Yet, again and again, the other side continues to present the same distorted facts, including lots of speeches last week.

The general misguided argument is that all of the economic and fiscal success of the 1990s is thanks to big tax increases by the Clinton administration and the 2001 and 2003 bipartisan tax relief is responsible for all of our economic ills and fiscal problems.

Neither of these claims is supported by facts or a basic understanding of economics. I will begin with the Clinton tax increase to which people are giving so much credit. Many on the other side of the aisle argue that the Clinton tax increases are proof that tax increases will not harm our economy today—when they have even heard their own President say otherwise several times, until recently, that you should not increase taxes when you have a depression. These people frequently ask, "If our economy grew in the 1990s with higher marginal tax rates, how can it

be bad to raise marginal taxes to these former levels?" Engrained in this argument is the assertion that tax hikes can actually be good for our economy.

This assertion fails to take into account numerous economic factors that occurred alongside the Clinton tax increases. The fact is that the economy grew not because of the 1993 tax increases but despite them.

The economy of the mid-1990s is a result of economic conditions that we may never see again. It was a time of great economic expansion due in large part to the advent of the Internet economy. The Internet spawned new technologies and created efficiencies in our economy that have never been matched. In turn, these new technologies and efficiencies spurred start-up businesses and new industries. Many seem to forget the huge Y2K fear that gripped the Nation, causing billions and billions in spending that helped prop up what became the infamous Internet bubble that blew up on all of us. Nevertheless, before the bubble burst these factors led to historically low unemployment and high workforce participation. Claiming that this was due to Clinton tax increases is equal to Vice President Gore claiming that he invented the Internet.

My colleagues on the other side of the aisle would be hard-pressed to find many economic studies indicating tax increases are stimulative. The focus of economic research in this area is not about whether tax increases are harmful or beneficial to the economy. Rather, the focus seems to be on the degree to which tax increases are very harmful to the economy. Admittedly, there are wide variations in views of economists on the responsiveness of individuals and businesses to taxes. However, even studies by economists who can hardly be labeled as conservative have concluded that tax increases have a significant negative effect on the economy.

For instance, a 2007 study by Christina Romer, President Obama's former chief economist, found "tax increases are highly contractionary," and "have very large effects on output."

In fact, this study found that a tax increase of 1 percent of gross domestic product could lower real GDP by at least 3 percent.

Another likely contributor to the growth of the 1990s was a peace dividend we reaped from the end of the Cold War. We have Ronald Reagan's staredown of the Soviet Union to thank for that phenomenon. The end of the Cold War allowed for a reduction of government spending as a percent of GDP. Coupled with priorities pushed by the Republican-led Congress to reach a balanced budget and to reform welfare, spending as a percentage of GDP dropped to its lowest point in 30 years. With the Government spending less of the people's money, more was left in the hands of the private sector. This allowed the private sector to innovate, to invest, and eventually create jobs. The

peace dividend is also the largest contributor to reining in deficits in the 1990s.

The biggest source of deficit reduction, 35 percent, came from the reduction of defense spending. The next biggest source of deficit reduction, 32 percent, came from other revenue because of a growing economy. Another 15 percent came from interest savings.

Let's get to the Clinton tax increase in reducing deficits. The Clinton tax increase, on the other hand, only accounted for 13 percent of the deficit reduction—only 13 percent.

There are further factors that contributed to the economic growth of the 1990s, including the expansion of free trade in the 1997 reduction in the capital gains tax rate. However, in the interest of time I am going to go on to other issues. One thing is clear, though, from this period of the 1990s. The economic growth of that time was not thanks to the Clinton tax increase nor was it a major player in bringing our deficit into balance.

Today we cannot rely on the unique economic conditions we experienced during that decade of the 1990s, some of which were artificial, to buttress the negative effects of the tax increase. In fact, we are in the middle of one of the worst economic eras since the Great Depression. Unemployment has remained above 8 percent now for over 41 straight months, almost 3½ years, in other words. Economic growth has been anemic.

Each passing day economic indicators are pointing more and more to the chance of a double-dip worldwide recession. Last Wednesday it was reported that Great Britain's economy contracted at the rate of .7 percent. Then on Friday it was reported that our own economy is stalling. Real GDP grew at an annual rate of just 1.5 percent, continuing its downward trend for three straight quarters. In a recent blog post, Nobel Laureate economist Gary Becker addressed the question of whether raising taxes on high-income earners is a very good idea. In his post, Professor Becker entertained arguments—these were arguments by the supporters of the tax increases—by hypothesizing that there is a 50-50 chance that higher taxes on the so-called rich would damage the economy.

Of course I believe, as does Professor Becker, that in reality this chance is much higher than 50-50. However, even granting the other side this generous assumption he concluded the benefit of raising taxes was outweighed by the potential damage they would cause. According to Professor Becker, even if richer individuals only slightly reduce their work hours and reduce their effort at work, the gain in tax revenue from these individuals would not be great. In contrast, "the costs to the economy in the chance that higher taxes greatly discourage their efforts is likely to be substantial in terms of fewer hours worked and less work effort by high-income individuals, reduced incentives to start businesses,

less investment in their human capital, investing abroad rather than in [this country] . . . and even migration abroad.”

Yet my colleagues on the other side of the aisle are pushing billions of dollars in tax increases. Last week they voted to increase taxes on nearly 1 million flowthrough businesses. Their vote to increase taxes on job creators came on the heels of an Ernst and Young study detailing its ramifications. This study concluded that these proposed tax hikes—on top of the 3.8-percent tax increase on dividends, interest, and capital gains that was added to pay for the health care reform bill—would reduce our economic output by 1.3 percent. The Ernst and Young study also found that real aftertax wages would fall by 1.8 percent as a result of President Obama’s policies.

Even in the face of this information, my colleagues on the other side seem all too willing to gamble with the chance that our stalling economy can withstand such a hit. By doing this, they are playing Russian roulette with our economy.

To my colleagues I ask: How certain are you that tax increases on job creators will not be damaging the economy? If you have any doubt, I suggest don’t pull the trigger.

I wish to shift gears a little bit to address the record of the 2001 and 2003 tax relief. Just as a perfect storm of good economic conditions blew at the back of the Clinton administration, a perfect storm of bad economic conditions and unpredictable events blew in the face of the Bush administration.

It is undisputed that at the end of the Clinton administration, the Congressional Budget Office was projecting a 10-year budget surplus of \$5.6 billion. Keep in mind, though, that CBO’s projection was based on assumptions that did not pan out.

The CBO failed to predict the bursting of the tech bubble that was so beneficial in the previous years. CBO also did not predict the September 11, 2001 tragedy that wreaked havoc on our economy.

In reaction to the economic recession from these events, Congress enacted the bipartisan 2001 tax relief that cut tax rates across the board, providing tax relief to virtually all taxpayers. Then in 2003, Congress expedited this relief so the benefit of lower rates would take effect more quickly. This resulted in one of the shortest and shallowest economic recessions yet on record. The economy grew for 25 straight quarters, making it the fourth longest period of economic expansion since 1930. Additionally, we had 47 straight months of private sector job gain.

Moreover, the expanding economy led to higher than expected revenues. That is a fact. Revenue actually rose in the years following the tax relief bill, peaking at 18.5 percent of GDP in 2007, well above the historical average of around 18 percent.

In fact, the Congressional Budget Office projects that if we extended all the 2001 and 2003 tax relief today, revenues would once again exceed the historical average. Under this scenario, the CBO projects that by 2022 revenues will reach 18.5 percent of GDP.

From 2004 to 2007, the deficit also shrank from a high of \$412 billion to a low of \$160 billion. That means the budget deficit was cut by more than half in 3 years. Given the trillion dollar deficits we are experiencing under President Obama, a deficit below \$200 billion would be very welcome news. Yet CBO projects that even if all the tax increases in President Obama’s budget were enacted, deficits would never drop below \$500 billion in the 10-year period from 2013 to 2022.

I will give President Obama credit when he says he took office in very tough economic times. The bursting of the housing bubble and the resulting financial crisis gave him a very high hill to climb, but any assertion the 2001 and 2003 tax relief is related to these events is without merit. There is plenty of blame to go around for the housing bubble. It was the culmination of housing policies spanning administrations of both parties. It was further fueled by the Federal Reserve providing historically low interest rates and cheap credit.

However, the President’s policies have failed at getting us out of this mess. The President’s party passed the President’s nearly \$1 trillion stimulus bill. He claimed this would keep the unemployment rate below 8 percent. However, the unemployment climbed to a high of 10.1 percent and has never dropped below 8 percent during his almost 4 years in office.

The President’s party also passed the health care bill, which the President sold as a job creator, and the financial reform bill that was supposed to fix our financial system. However, both of these bills, which the President signed, have actually turned out to be costly to our economy and a hindrance to job creation.

Now President Obama appears ready to gamble with the economy. He appears to go all in on raising taxes on our Nation’s job creators. In doing so, he is betting that raising taxes on the so-called wealthy will result in a political payoff exceeding the chance his actions will throw us back into recession. It is not so long ago that I remember the President saying what I have already referred to in this speech: “You don’t raise taxes in a recession.” The President’s statement is as true now it was then.

Let’s end the political theater of holding votes for the purpose of campaign ads. Let’s instead actually do what the people sent us here to do. Let us not drive the American economy head long off the fiscal cliff.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to speak for up to 15 minutes on two subjects.

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

Mr. WARNER. Mr. President, first of all, I rise today to address the important legislation pending before this body, S. 3414, the Cybersecurity Act of 2012. I followed this debate, and I want to particularly compliment Senator LIEBERMAN, Senator COLLINS, Senator ROCKEFELLER, Senator FEINSTEIN, and folks such as Senator KYL and Senator WHITEHOUSE who have been trying to find some common ground in this area. I hope at some point in the next day or so we will be able to proceed to this bill and have it fully debated.

Many Senators bring different levels of expertise to this issue. As someone who spent 20 years in the technology field and in telecom in particular before entering government service, and has had the honor to serve for the last 3½ years on the Intelligence Committee, the Commerce Committee, and the Banking Committee, three of the committees that all immediately intersect with the challenges around cyber, I can add a bit of my perspective to this debate.

Let me start with concerns that have been raised by some of the opponents to this legislation. In the area around cyber, we need to make sure we have appropriate information sharing. How do we set some standards? Who should enforce those standards? I think most all of us, and anyone who has looked into this area, would recognize it is not a question of when we are going to have a major cyber attack or if we are going to have a cyber attack, it is only a question of when. We have already—as has been reported in the press in a number of fashions—been attacked on a daily basis by foreign agents, criminal elements, hackers who are constantly probing our country’s cyber defenses on the public and private side. One of the reasons I think it is so important to move on this legislation soon is I have great fears that when we have a major cyber element or cyber attack, Congress may, as they have done so many times in the past, overreact because we didn’t take action on something we knew was imminent.

I do think this piece of legislation—and, candidly, I could have supported an even stronger piece of legislation—is a great first step in this area. I am going to come back in a moment to some amendments I hope to offer to this legislation to deal with some of the concerns other Members and folks have raised on this issue.

Let’s talk about why we need cyber legislation and why we need it now. Inaction is not a solution. Every national security expert—not just from the current administration but previous administrations, and most Members of Congress—agrees that the status quo is not sustainable. Over a 5-month period between October of 2011 and February of 2012, there were 50,000 cyber attacks



on private and government networks. We are told between 2009 and 2011 attacks on U.S. infrastructure increased by a factor of 17.

As more and more nations and rogue actors get more sophisticated with computer and technological knowledge, these numbers are going to grow exponentially. As the FBI has said, cyber espionage, computer crime, attacks on critical infrastructure will surpass terrorism as the No. 1 threat facing the United States. Think how many things we have done appropriately in the previous administration and this administration in terms of homeland security to protect our Nation against the threat of terrorists. We now have the Director of the FBI saying the cyber threat will soon surpass terrorism in terms of a threat to our Nation.

I know as a former businessman that we are already seeing manifestations of this threat in other areas. Intellectual property theft is one of the most insidious threats we face right now. A former FBI agent who specialized in counterintelligence and computer intrusion has said that in most cases companies don't realize they have been burned until years later when a foreign competitor puts out the very same product, only making it 30 percent cheaper. We have lost our manufacturing base in many ways. By not putting appropriate cyber protections in place, are we really prepared to lose our R&D base as well?

Some say cyber is different. Cyber is different in certain ways, but in many ways it is similar. Just as we would never have a nuclear facility without guards and a wall and a fence or—I see my good friend, the Senator from Louisiana—we would never have power facilities or levees without appropriate protections, how is it we would not have some level of standards and information sharing of threats that are coming in amongst not only our public sector entities but our private sector entities as well?

As a matter of fact, as a former businessman, I have been surprised at some of the resistance from some business organizations that are saying this requirement of both information sharing and some minimum standards would actually be a burden on us. In many ways I actually think somewhat the opposite because there are a number of businesses right now that have taken the responsible step and put in place significant cyber protections while competitors in their industry, because they are not putting those same protections in place, are actually free riders on the system. Yet, not if but when we have a major cyber event, if one of those companies that has not put appropriate protections in place ends up causing dramatic harm to our economy or to that industry sector, all the industries and all the businesses in that sector will in one way or another end up paying the price. Again, this is one of the reasons why we need both this

information sharing and some level of standards.

I know to try to move forward in terms of actual or mandatory standards, we are not going to have them at this point. We have set up a measure—and again, I commend Senator KYL and Senator WHITEHOUSE for working through what I think is a pretty darn good compromise where there would be an industry group that would develop, in effect, best practices. It is hard with the government and bureaucracy moving so slowly to keep up with something like technology that would allow an industry group to come up with, in effect, best practices. Those companies that adhere to those best practices would actually receive legal and other protections so we could encourage folks to make sure we have in place the kind of protections that all industries and our country need.

To make clear that we don't have mandatory standards, we have put in place—I have been working with Senator SNOWE on a couple of amendments. I believe there are other Members who will join us on at least one of these amendments. The first amendment is very important and hopefully will go some distance in terms of clarifying one of the issues that seems to be a major subject of debate in this legislation, and that is to modify—again working with the chairs of the committee, we may even move beyond this modification to elimination—a key section of the bill, section 103. It will make clear that the standards set by this bill, the protection of infrastructure, are indeed voluntary. This amendment makes it clear that this bill does not in any way alter the authority of any Federal agency to regulate the security of critical infrastructure. Again, there were some concerns that there might have been a mistake in the earlier draft. This amendment makes clear that the standards that are developed by industry working groups will be voluntary and that nothing in this legislation will allow any Federal agency to regulate the security of critical infrastructure.

I believe this amendment should alleviate the concerns of some that the bill might put in place mandatory standards for infrastructure protection—again, despite the very clear language that already exists in the bill that standards are voluntary. It is my understanding this amendment will be considered as part of a broader set of solutions negotiated by Senator LIEBERMAN, and whether our amendment comes forward or whether it is broadened into a managers' package, I hope it will clarify this portion of the debate about mandatory versus voluntary.

Voluntary is a good first step. The fact that this will be developed by industry working groups, the fact that this will not be subject to the lagging time of government bureaucracy or rulemaking, hopefully, will move us in the right direction.

A second amendment, again, one I have been working on with Senator

SNOWE, is a bit more technical, and particularly as to my colleagues on the Commerce Committee, I hope we will be able to gain some support from them. This amendment seeks to ensure that the authority provided to DHS to sole-source highly specialized products will result in the procurement of interoperable, standards-based products and services whenever possible.

What does that mean in English? It means when government goes out, and particularly during sole-sourcing of a solution set, too often—and I have seen this in my old industry of telecom years in and years out—people will develop a particular product or solution that works for that company's only set of standards, and when the government subsequently or other private sector entities go on and buy or replace or expand whatever particular system it is, if it is not interoperable with the rest of the telecommunications system or the rest of the network, then we are really not getting value for our dollar.

Again, this is a small issue in the context of cyber security, but both Senator SNOWE and I believe it is important for the purpose of competition, and it should lower the overall cost of key technologies and services for the taxpayer.

So as I close on my first comments, I hope we will be able to move forward before the break on the question of cyber security. I think great progress has been made in the negotiations. I know there are a lot of issues that remain to be resolved, but I would reinforce what so many other colleagues have already said. It is not a question of if we are hit by a cyber attack, it is only a question of when in terms of a major incident. Let's get ahead of the game.

#### TRIBUTE TO FEDERAL EMPLOYEES

DIANE BRAUNSTEIN

Let me take two more moments and rise on one other issue. As many of my colleagues and the floor staff know, I come down on a fairly regular basis to honor great Federal employees. With all of the challenges we face with the fiscal cliff—I see my good friend and partner here, the Senator from Oklahoma, and both he and I are always trying to look for ways we can get better value for the taxpayer. One of the things we need to do is find ways to reward and recognize the good work of so many Federal employees who share that goal of getting better value for the taxpayer. I know the Senator from Oklahoma has particularly worked with the GAO on a number of occasions to find and root out duplication and other issues of where we can save dollars.

I come down on a regular basis to recognize Federal employees—because so many times they are under assault—when they do good things. Today I do that one more time, with recognition of another great Federal employee, in this case Diane Braunstein, who is the Associate Commissioner for the Office of International Programs for the Social Security Administration. She has

overseen the creation of the Compassionate Allowance Program, which has allowed thousands of seriously ill Americans to gain quick approval for much needed Social Security benefits in a matter of days or weeks rather than months or years; although in this area of Social Security disability we need to make sure only the appropriate beneficiaries are receiving those funds.

For years, the Social Security Disability Insurance Program has faced backlogs and delays in processing claims. In 2011 there were on average 700,000 pending cases. We need to do a better job of evaluating and weeding out some of those cases. Couple this with what used to be a lack of caseworker knowledge on rare illnesses, and the result was a number of applications with rare illnesses being incorrectly denied Federal benefits. They then had to face an appeals process which took years to complete.

Beginning in 2008, Ms. Braunstein partnered with patient advocacy groups and NIH to come up with a list of 25 cancers and 25 rare diseases that would automatically qualify an applicant to receive benefits. To further improve the speed and efficiency and cost effectiveness of this process, an easy-to-use reference guide and training program was put together to aid caseworkers.

According to Social Security Commissioner Michael Astrue, when Ms. Braunstein began work on the compassionate allowances, some Americans were waiting 2 to 4 years for a decision. Now those with the most devastating disabilities get approved for benefits in a matter of days. In 2010, the program was able to assist an estimated 45,000 people, and 65,000 people in 2011.

I hope my colleagues will join me in honoring Ms. Braunstein for her innovation and excellent work she has done as well as her commitment to public service.

Again, we have some hard choices to make beyond the question of cyber security, but as we approach this fiscal cliff there will be more asked of all Americans and there will be more asked of our Federal employees. We will have to continue to find ways to ratchet out those programs that are duplicative, those areas where we are not getting value for our dollar.

Again, I know this is an issue of concern to the Senator from Louisiana and the Senator from Oklahoma. But when we find initiatives that work, and we find Federal employees who are helping us provide value, particularly for those in need at a good price, they deserve this recognition.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, first, before I begin the topic I wish to speak about, I thank Mr. WARNER, the Senator from Virginia, for his leadership. He has many Federal employees, many defense contractors in Virginia. He, as a Senator from Virginia, recognizes the

great threat to our Nation today in cyber security. The Senator knows very well that there are literally thousands of attacks taking place as we speak. That is why as we get ready to go back to our States for the August recess and visit with constituents, we are pressing very hard for a positive vote to move forward on the debate to fashion a cyber security bill for our Nation. So I thank the Senator for his leadership and, of course, the tremendous Federal employees who do get beat up all the time but, in fact, do remarkable work for our Nation and for the world.

So I thank the Senator from Virginia.

(The remarks of Senator LANDRIEU pertaining to the introduction of S. 3472 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. LANDRIEU. I thank Senator COBURN for letting me speak in advance of his time on the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Oklahoma.

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

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

The Senator is recognized.

#### ARMY WEAPONRY

Mr. COBURN. Mr. President, it is pretty unusual for me to come to the floor to say I want to spend money. But I have had a longstanding problem as I sign the letters of condolences to hundreds of families in Oklahoma who have lost their loved one by serving this country.

I come to the floor to offer a critique on one of the most important things to the people who truly put their lives on the line for this country. It is a national security issue, but it is truly about our men and women in uniform and the most important deployed weapon system over the last 10 years of war; that is, the Army service rifle and their other small arms.

There is nothing more important to a soldier than his rifle or her rifle. There is simply no excuse for not providing our soldiers with the best weapon, not just a weapon that is "good enough."

As I go through this, I am going to give a history of what the military has done—or, rather, basically what they have not done—in terms of having available for our soldiers a weapon that is capable of giving them the best possible chance when they serve our country.

Over the last few years, we have spent \$8,000 per soldier on new radios, but we still are using a weapon that is 25 years old when it comes to their M4.

I first got involved in this when I got e-mails. I gave many in the Oklahoma National Guard—who served multiple tours, with lots of life lost in Iraq and Afghanistan—I gave those soldiers my personal e-mail, and I said: If you are having a problem over there, e-mail me.

I started hearing about the malfunction, the lack of effectiveness of the M4 for the Oklahomans who were over there. It is the same weapon the career Army has. It is the same weapon everybody who is issued a standard rifle is given, except for our special forces and others in the world who have a better rifle than the U.S. soldier on the ground fighting on our behalf.

I have noted before in the CONGRESSIONAL RECORD that I have lifted my objection to the nomination of Ms. Heidi Shyu to be the Assistant Secretary of the Army for Acquisitions. It is an important position. She is in charge of \$28 billion worth of expenditures. My objection was due to the Army's continued lack of urgency in modernizing and fielding new rifles, carbines, pistols, light machine guns, and ammunition for our troops in combat. Ms. Shyu has been very responsive to me and has provided some information regarding the Army's future plans for small arms and ammunition.

So when I started getting the questions from our troops in Iraq and Afghanistan, I started looking into what was happening. Most of our soldiers know exactly what to do and how to care for their rifle. They know how to take care of it. So we looked into the issue. What we found was that there were several studies that raised questions about the reliability of the M4 rifle and whether there was a better weapon out there for our troops.

For example, a special operations forces report in February 2001 said the M4's short barrel and gas tube increased the risk that a round might not eject from the rifle properly after it is fired. In other words, they fire it and the round does not come out. That is called a jam—when you are having bullets coming at you and your rifle is jamming.

What we did was we set up a test, and the Army would not do it. So I put a hold on the Secretary of the Army Pete Geren's nomination. We talked, and he assured me we would have a new competition for a new rifle for our troops. That was in 2007.

Here we are, 5 years later, and the Army is now telling us we are going to complete a new competition in 2014. But in the meantime, we had a test done against our soldiers' rifle and others available in the world, in terms of a dust test, and we came in last.

So we are sending our troops to defend us and fight for a cause that we have put blood, sweat, tears, and \$1 trillion into, and we are sending them with one that does not work the best.

My question to the Army is, Why? I can tell you why. Because the guys who are responsible for making the decision on purchasing the rifles are not the guys who are out there on the line. Because if they were, we would have already had this competition and our service men and women would be getting new rifles.

It is not that we cannot do it because what we learned—as we went back in



and reupped in Afghanistan—we determined that the MRAP was not suitable for the rocky terrain as compared to what we used it for in Iraq.

In less than 16 months and after rapid testing and fielding, new MRAP All-Terrain Vehicles—that was designed specifically for Afghanistan; a complicated piece of vital equipment, costing \$½ million each—started arriving in Afghanistan.

So it is not that we cannot supply our soldiers with a new rifle. It is not that it cannot be done. It is that we refuse to do it.

For \$1,500, we can give every person on the line something equivalent to what our special forces have today.

Let me show some history.

The average age of our troops rifle is 26 years. The average age of the German military rifle, small arms, is 12 years. For the U.S. special operations forces, theirs is 8 years. Guess what. They have new technology. Our regular frontline guys, they do not get it. They cannot have it. It costs the same, but they cannot have it because it is not a priority for the leadership in the Army to give the most deployed piece of equipment our troops need—that defends them, protects them, and gives them the ability to come home alive—we will not give it to them. It is shameful. It is shameful.

Let me give a history of what happened just once in Afghanistan.

It was called the battle of Wanat. On July 13, 2008, in the battle of Wanat, in Afghanistan, 200 Taliban troops attacked U.S. troops at a remote outpost in eastern Afghanistan. The Taliban were able to break through our lines and entered the main base before eventually being repelled by artillery and aircraft.

What is notable about the battle was the perceived performance of the soldiers' small arms weapons in the initial part of the battle.

Here are some quotes:

My M4 quit firing and would no longer charge when I tried to correct the malfunction.

I couldn't charge my weapon and put another round in because it was too hot, so I got mad I threw my weapon down.

It would be bad enough if this was the first time it happened. But it is not the first time it has happened. It has happened multiple times to our troops in our present conflicts.

All we have to do is go back to what happened with the M16 when they were first used in Vietnam. There were instant reports of jamming and malfunctions. One tragic but indicative marine action report read:

We left with 72 men in our platoon and came back with 19. Believe it or not, you know what killed most of us? Our own rifle. Practically every one of our dead was found with his M16 torn down next to him where he had been trying to fix it.

That is occurring now, except it is not getting any press. Again, I would ask my colleagues in the Senate: Why would we not give our soldiers the ca-

pability that almost every other soldier has except ours?

There is another aspect of this that I think needs to be shared; that is, the fact that it is all about acquisitions and culture rather than about doing the right thing. I do not like giving this talk critical of the leadership of the Army. But when it is going to take 7 years to field a new rifle and in 18 months we can build and design a completely new \$500,000 piece of equipment, an MRAP, for Afghanistan or when we can spend \$8,000 per troop to give them a new radio—which are all going to be replaced in the next 2 years with another \$8,000—and we cannot give them a \$1,500 H&K or something equivalent, there is something wrong with our system. Our priorities are out of whack.

If the Department of Defense had spent just 15 percent less on radios, they could give every soldier in the military a new, capable, modern weapon, and it does not just apply to their rifle.

One of the biggest complaints, after the M4, is the fact that the regular Army gets a 9-millimeter pistol that weighs over 2 pounds, but our special operations forces get a .45-caliber pistol that weighs less than 1½ pounds. That is a big difference when you are out there all day. But the most important thing is, a .45-caliber round is twice the size of a 9-millimeter round, so when you are shooting it and you hit somebody, it is going to take them down. A 9-millimeter does not. So we are giving them an inferior pistol throughout the military.

Then, finally, here is what an M4 carbine looks like compared to an HK416, as shown on this chart. One other point I would make. This piece of equipment fires on automatic. This other piece of equipment—because the military wants to save some bullets—will not fire on automatic. So our soldiers are facing people who have automatic fire and they can fire in bursts of three and at half the rate of what they are facing.

Why would we do that? The real question is, we are asking people to defend this country. For essentially the same amount of money, we can buy an old-style, 26-year-old M4 or we can buy a brandnew one that gives them everything they need and gives them the best weapon. Do they not deserve that?

A lot of people do a lot of things for our country. But nobody does for our country what the soldier on the frontline does—nobody. This is a moral question, Mr. Secretary of the Army. This is a moral question. Get the rifle competition going.

Members of Congress, members of the Senate Armed Services Committee, do not allow this to continue to happen. Do not allow this to continue to happen. There is no excuse for it. We should be embarrassed. We should be ashamed. Because what we are doing is sending our troops into harm's way with less than the best that we can provide for them.

As I have noted, I have lifted my objection to the nomination of Ms. Heidi

Shyu to be the Assistant Secretary of the Army for Acquisitions. This is an extremely important position for an organization as large as the U.S. Army which spends \$28 billion per year on acquisition of goods and services. My objection was due to the Army's continued lack of urgency in modernizing and fielding new rifles, carbines, pistols, light machine guns, and ammunition to our troops in combat. Ms. Shyu has been responsive to me and provided some information regarding the Army's future plans for small arms and ammunition.

I first got involved in the Army small arms issue 6 years ago when Oklahoma National Guard soldiers told me that their issued weapon, the M4 carbine, was jamming in Iraq. These soldiers were told by their superiors that jamming resulted from poor weapons maintenance on their part and not from any fault of the rifle. While cleaning and proper maintenance of a weapon are extremely important, sand and dust in Iraq are a daily occurrence and any small arms weapon our troops use there should be able to fire reliably in spite of some sand and dust.

Also, the National Guard soldiers from my State—as is the case for Guard soldiers from many if not all of our States—are somewhat more likely to hunt or serve as police officers or security guards in their civilian lives. In other words, National Guard soldiers in the infantry generally know better than most how to care for rifles. So my staff looked into this issue and found that there were studies that raise questions on the reliability of the M4 and whether there was a better weapon out there for our troops. For example, a special operations forces report in February 2001 said that the M4's short barrel and gas tube increased risk that round might not eject from the rifle properly after firing.

I also learned that in the early 1990s Colt received funding from the Army to produce the M4 carbine, which would be a shorter variant on the M16 rifle. This was not done through a competition and was considered merely an extension of Colt's original M16 contract.

This lack of competition would later greatly benefit Colt. In 1999 Colt charged the military less than \$600 per M4 carbine. This would rise to more than \$900 in 2002 and more than \$1,200 for a fully equipped carbine in 2010 when the wars in Iraq and Afghanistan resulted in more M4s being bought.

So in 2007 I raised these questions and even put a hold on the nomination of Secretary of the Army Pete Geren. To his credit, he ordered a full and open competition for a new carbine rifle no later than the end of 2009.

It is now 2012 and the Army still has not completed a competition for a new carbine rifle, now scheduled for 2014. The window for the regular Army soldiers to battlefield test an improved rifle in a war we have been in for 12 years is rapidly closing. This extended and lengthy process is for a weapon

system that—while vital—costs less than \$2,000 each.

This 7-year effort differs greatly from their effort to field new armored combat vehicles in Afghanistan. According to the Government Accountability Office, in 2008 Army leaders determined that the Mine Resistant Ambush Protected, MRAP, vehicle was not suitable for the rocky terrain of Afghanistan. In less than 16 months and after rapid testing and fielding, new MRAP all-terrain vehicles, M-ATV, a complicated piece of vital equipment costing \$500,000 each—started arriving in Afghanistan.

In contrast, according to the Government Accountability Office, the Department of Defense spent more than \$11 billion buying newer models of existing legacy radios from 2003 to 2011 and is currently planning on spending billions more on even newer radios to replace the ones just purchased for Iraq and Afghanistan. There are only 1.4 million troops on active duty so the Department of Defense has spent nearly \$8,000 per troop on new radios. A brand new rifle—that soldiers don't have—costs around \$1,000 to \$1,500.

If the Department of Defense had just spent 15 percent less on the billions and billions they spent on newer models of legacy radios in the last 10 years, every soldier in the Army could have had a brandnew carbine rifle going to war.

In addition to the rifle, there remains a great need for improvement of the Army's service pistol. This pistol, usually given to officers but also as an additional weapon to some infantry soldiers, is the M9 Beretta. This pistol entered the Army in 1985, 27 years ago, and fires a 9mm round. The M9 pistol had the lowest satisfaction rate of any weapon surveyed by the military in 2006 on troops returning from Iraq and Afghanistan with half feeling that the 9mm ammunition is insufficient.

Is the Army's failure to modernize its rifles, pistols and machine guns a recent occurrence? Sadly no, the Army's reluctance to field new weapons runs throughout its history. In far too many instances U.S. Army troops have entered battle with an inferior weapon to their adversaries and either during or after the war ended the Army was reluctant to change and adapt to the superior weapons.

In 1776 colonial forces faced the British at the Battle of Brandywine where the British used a new breech loading weapon that loaded at the rear of the weapon rather than the muzzle or front of the weapon. As a result trained British soldiers could fire more than twice as fast as trained colonial American soldiers. The breech loading weapon was not used much in the Revolutionary War but where it was used, such as at the Battle of Brandywine, it was described as acting magnificently: 93 British killed and 400 wounded compared to over 300 Americans that died, 600 wounded, and 400 prisoners captured.

However when Americans again fought the British in the War of 1812—

36 years later—the Americans were still using the same muzzle loading weapon they fought with during the Battle of Brandywine.

U.S. Army troops at war against Mexico in 1845 did not have breech loading rifles, but rather continued to carry muzzle-loading rifles when fighting against Mexico—nearly 80 years after the breech-loading rifle was invented.

During the Civil War one Union officer in particular was unsatisfied with the Army's standard muzzle-loaded rifle and decided to do something about it. Colonel Wilder, commander of the Union's "Lightning Brigade" decided to go around the Army bureaucracy. His men spent \$35 out of their paychecks to buy Spencer Repeating Rifles direct from the factory for his mounted cavalry. In one of the first battles using this new rifle Wilder's "Lightning Brigade" of 1,000 soldiers defended the Union flank against over 8,000 Confederate troops that could not pass. At one point one company of Colonel Wilder's men held off ten times as many Confederate troops using their repeating rifles for 5 hours.

However, the Army did not widely adopt the repeating rifle after the Civil War. More than 30 years later in the Spanish-American War, 5,000 American soldiers armed with single shot rifles attacked fewer than 1,000 Spanish soldiers armed with a German 'Mauser' repeating rifle. While Americans won the battle by attrition (there were 10,000 U.S. troops in reserve), the U.S. Army suffered over 1,400 casualties, with 205 killed, while the Spanish lost fewer than 250, with 58 killed, before surrendering.

A telling American newspaper column title from 1898 aptly summarizes the problems: "The [U.S. Army] Gun: It is Inferior in Many Respects to the Mauser [rifle] used by the Spaniards." The article states unequivocally that the "enemy's [Spain's] weapon is easier to load [and] can be fired more rapidly".

The 20th Century would see a great deal of further modernization, improvement, and innovation in the area of small arms to include lighter fully automatic assault rifles capable of firing at a rate of more than 10 rounds per second rather than per minute.

The United States entered World War I with a Springfield 1903 rifle, named for the Armory and the year it was produced, which was possibly the third best rifle in the world at that time. The British Enfield-Lee rifle held ten rounds instead of 5 and could fire upwards of 20 rounds per minute. The American rifle held only 5 rounds and fired 10 rounds per minute which was similar, but still inferior to the German rifle that was capable of firing more rounds per minute.

The U.S. Army did enter World War II with one of the last great battle rifles, the M1 Garand, but its success during that conflict may have blinded the Army to a revolutionary develop-

ment in small arms: the invention of the modern lightweight fully-automatic assault rifle. From 1942 to 1944 Germany invented the world's first assault rifles—rifles that could fire 550 to 600 rounds per minute and held detachable 30 round magazines. However, it would be over two decades later before U.S. Army soldiers were permitted to have lightweight assault rifles.

Shortly after World War II ended the Soviet Union invented the AK-47 fully automatic assault rifle. This rifle's success is easily stated: over 90 million AK-47s or derivatives have been built. It is very likely a weapon that has inflicted more casualties than any other weapon on earth. Soviet troops had this rifle nearly 20 years before the United States Army would issue assault rifles to its soldiers.

In 1958, an American inventor named Eugene Stoner developed the AR-15 rifle in less than 9 months, which would eventually become the M16. This revolutionary rifle weighed six pounds and fired at a rate between 700 and 900 shots per minute with little recoil and the lightweight but still deadly 5.56mm ammunition meant soldiers could carry more firepower than before.

However, it took the then-Chief of Staff of the Air Force General Curtis LeMay to purchase 85,000 of them for use by Air Force base defense airmen before they got into the military at all. The U.S. Army was strongly opposed to the M16. Some of these weapons were used by Special Forces troops serving as advisers in Vietnam, increasing the pressure for the Army to adopt it. The Army initially refused the AR-15s stating the "lack of any military requirement."

At this point, it should be clarified that the Army has used the phrase "lack of a requirement" for more than 50 years to justify slowing down and not innovating in the area of small arms. I first encountered the phrase "lack of a requirement" in 2006 when asking why the Army couldn't field a better carbine rifle that didn't jam in the desert. I am hearing the same phrase today when I ask why soldiers can't have a better light machine gun or pistol. Soldiers have complained about these weapons but they can't have a new one because there is no "military requirement." Congress is often frustrated by the term "military requirement" because it can be used to deflect responsibility from the person using it. It says the Army is fearful of offering its judgment on whether or not someone made a weapon that is better than what the Army has, so it instead says that the weapon is not needed.

It took intervention by President Kennedy and Secretary of Defense McNamara to order the Army to adopt the M16 rifle—the military version of the AR-15. Then what happened in Vietnam was a tragic occurrence that took the direct involvement and investigation of Congress and deaths of thousands of soldiers to remedy.

When the M16s were first used in Vietnam there were nearly instant reports of jamming and malfunctions. One tragic but indicative Marine after-action report read:

We left with 72 men in our platoon and came back with 19. Believe it or not, you know what killed most of us? Our own rifle. Practically every one of our dead was found with his M16 torn down next to him where he had been trying to fix it.

Before the necessary fixes could be made to the weapon which included switching back to the original type of ammunition propellant and issuing cleaning supplies in early 1967, nearly ten thousand American soldiers had been killed. Before the Army made the changes these soldiers were told—much as soldiers are told today—that problems with their weapons are their fault: a lack of care and cleaning or operator error. There is no formal process where soldiers are required to provide feedback to Army leadership on a jammed weapon in order to accurately note issues with reliability.

There were six warnings from various arsenals and offices within the Department of Defense as to the problems with the M16. However, the Army Materiel Command and Army senior leaders would not listen. It took public pressure and a massive congressional investigation by the House Armed Services Committee to get to the bottom of the problems with the Army's small arms in Vietnam. It was discovered that the Army was using a different ammunition propellant—procured from a sole-source contract—that caused the M16 to jam. After Congressional intervention, the original propellant was used and the problems with the M16 nearly disappeared. After Vietnam, the Army formally adopted the M16 as its service rifle and by 1968 nearly all troops surveyed said they preferred the M16 to any other rifle.

The post-Vietnam era saw changes for the M16 weapon, few of them positive. In 1980 the Army adopted a different, heavier 5.56mm round that required different rifling for the caliber which marginally improved penetration of armor and helmets but at the cost of greatly reducing.

U.S. troops would find out in Iraq and Afghanistan that the enemy did not wear helmets or armor. As a result the rounds would penetrate through the enemy and exit the other side without causing enough damage to incapacitate him and he kept fighting. Soldiers have regularly reported having to fire multiple rounds into enemy combatants in Iraq and Afghanistan as a result.

In 1982 the Army also altered the M16 to prohibit soldiers from firing on full automatic. The current M16A2 rifle has a choice between semiautomatic and three-round burst. The M16A2 is now the only major assault rifle in the world fielded for military use that does have a full automatic capability.

As I said the problems we see with small arms procurement may not be

sinister, but they are serious and they are current.

On July 13, 2008 in the Battle of Wanat in Afghanistan around 200 Taliban attacked U.S. troops at a remote outpost in eastern Afghanistan. The Taliban were able to break through U.S. lines and enter the main base before eventually being repelled by artillery and aircraft. What is notable about the battle was the perceived poor performance of the soldiers' small arms weapons in the initial part of the battle. Some selected quotes from the report:

My M4 quit firing and would no longer charge when I tried to correct the malfunction.

I couldn't charge my weapon and put another round in because it was too hot, so I got mad and threw my weapon down.

Nine soldiers died and twenty-seven were wounded at the Battle of Wanat in Afghanistan.

For too much of its history from the Revolutionary War to today the Army has shown a slowness and reluctance to adopt improved small arms weapons and ammunition developed by others. It has also been slow to recognize and fix problems with its small arms. The Army has repeatedly engaged in poor negotiating and contracting on behalf of the American people. Senior Army leaders continue to go work for incumbent small arms manufacturers after they retire.

However, a major problem is also Congress. There have been far too few hearings and oversight on the topic of small arms. The House Armed Services Committee report in 1967 stands out as an exception that proves this point. Senior military leaders in uniform and civilians are regularly challenged and questioned—and in some cases chewed out—on all manner of programs and weapon systems here by Members of Congress including medical benefits, stealth fighter jets, missile defense, the size of the Army and Navy, and armored vehicles.

However, for some reason Congress, for the most part, has seen fit to give the Army a pass on small arms. For some reason the oversight committees responsible do not aggressively and regularly question whether the Army's rifle—the most deployed weapon system for the last ten years—is the best that American industry can offer our troops. There are many small arms experts that are independent of the industry that can inform Congress on this issue. I call on my colleagues to hold long overdue hearings on this topic with independent witnesses as soon as possible and will continue my efforts on this issue to raise awareness and push the Army to procure the best weapons and ammunition for our troops.

I yield the floor and 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. MORAN. 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. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### THE DROUGHT

Mr. MORAN. Back home in Kansas, we are spending our time down on our knees and then looking up to the sky. We are praying and hoping for rain. Our State, along with much of the country, is in a very serious drought. Crops are dying. Cattle are hungry and are being sold off and water is in scarce supply.

Every county in Kansas, all 105, have now been declared disaster communities. Half of the continental United States is in the worst drought since 1956, and the situation is expected only to get worse. In this photograph, my friend Ken Grecian from Palco, KS—it is a little town in northwest Kansas—is pictured here with dry grass and hungry cattle. Over the past few weeks, Ken has had to reduce his herd at lower prices than before because there is not enough feed to feed the cattle. Ken is similar to many producers who have been diligently building their herds of cattle over many years and are now seeing those cattle sold due to the drought, undermining their efforts, year after year, to develop a herd.

Paul and Tommie Westfahl from Haven, KS, just a little bit north and west of Wichita, and their two daughters Jenna and Raegan are pictured standing next to their failed crops. South central Kansas has been hard hit this year by the drought. The corn on the right never got above chest high and dried up months before it was time to harvest.

Paul swathed and will soon bale his failed beans on the left of the photo and try to save some of that for feed for cattle this winter. Hard times are there and they are not over.

The United States has a long history of drought and recovery. From the Dust Bowl to today, we have faced periods of drought. The thirties were often called the worst of hard times. Don Hartwell, a farmer on the Kansas and Nebraska border, captured how hard it was when he wrote this in his diary on May 21, 1936:

15 years ago, the Republican River bottom was a vast expanse of alfalfa and corn fields. Now, it is practically a desert of wasted, shifting sand, washed-out ditches, cockle burs, and devastation. I doubt very much if it ever can be reclaimed.

A few weeks later he wrote in his diary, "I wonder where we will be a

year from now?" In the 1930s, folks were faced with severe drought which resulted in the Dust Bowl. People were forced to abandon their farms and ranches and give up the only way of life they knew. Crops, livestock, and livelihoods vanished with the dust. They were unimaginable times. Thankfully, those unimaginable times passed and the rains came and the Republican River bottom was reclaimed.

This happened with the help of the good Lord and by individual efforts by those who refused to give in to those bad times, to give in to nature. If we look at the drought now and compare it to that of the 1930s, we will notice a huge difference. There is no Dust Bowl. The programs and conservation management tools that were used have worked. The forward-thinking American farmers and ranchers, the landowners who adopted new land and livestock management practices have made conservation the most effective drought mitigation effort available today.

But conservation programs are in danger. While many conservation practices can be planned and executed by individual farmers and ranchers, certain programs administered by the Department of Agriculture deserve our attention so these important initiatives do not expire on September 30. In just about 60 days, farm programs will expire, and that means more uncertainty, compounding an already disastrous drought situation.

Right now, farmers and ranchers are wondering the same thing Don Hartwell wondered in 1936: Where am I going to be 1 year from now? As Congress debates the future of domestic agricultural policy, it is critical risk mitigation tools are included for farmers and ranchers. Most important among these tools is crop insurance. With the absence of direct payments in both the House and Senate versions of a new farm bill, crop insurance is and will remain the last protective tool available to those producers.

Viable crop insurance ensures that a farm operation can survive difficult times, when there is drought or hail or flood, in hopes that they can experience a successful yield the following year. Farmers always have hope: Tough times now? Come back next year. But crop insurance, as valuable as it is, does not cover all the problems agriculture producers face, and particularly livestock producers are not usually generally eligible for crop insurance coverage.

These producers require risk mitigation and a safety net just like producers covered by crop insurance. Disaster programs for livestock, along with crop insurance for cultivation agriculture, give producers the security they need to plan and invest for the future.

Currently, ranchers and cattlemen are left with few disaster programs. The 2008 farm bill disaster farm programs expired this year, leaving pro-

ducers across our drought-stricken country with less protection from Mother Nature. These programs are an important safety net for farmers and ranchers. Farmers and ranchers such as Ken and Paul deserve to know what the future of these programs will be.

We should not expect producers to plant crops or to buy and sell livestock if they do not know what the rules are. Putting these programs back in place and ensuring a sound safety net is vital for drought recovery, continued conservation work, and for the affordable food supply for the people of our country. Kansas farmers and ranchers should not have to keep guessing. It is too important to their families, their industry, and their Nation for more delay.

We must give agricultural producers the long-term certainty and support they deserve. While we wait for Washington, we will continue to hope and pray.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are on the motion to proceed.

#### CLIMATE CHANGE

Mr. KERRY. Mr. President, a number of us have spoken with increasing concern—I think probably most Senators have come to the floor in the course of the last months to express their alarm about the politics that surround big issues in our country that demand action and not partisanship, not acrimony, but which we continue to simply find a way to avoid. We have been artists in the politics of avoidance here in Washington over the course of too long a period now.

The debt and the fiscal cliff are obviously perfect examples of where, despite all of the warnings and all of the expert advice we get, Congress is fundamentally stuck in political cement of our own mixing. No one will credibly deny here the existence of the fiscal cliff, the crisis of our budget, the tax system, and so forth. So that, at least as an issue that is avoided, gets a credible amount of words being thrown at it.

But there is another issue that, in many ways, is just as serious because of its implications for all that we do on this planet, but which doesn't any longer elicit that kind of concern or expressions of alarm on both sides of the aisle, or from that many Senators. The two words that have described this particular issue over a long period of time now have actually become somewhat words of almost skepticism in many quarters in America, or a kind of shrug, where people say: I don't know what I can do about it. It is not something I ought to worry about. Somebody else will take care of it, or maybe it is not real. Those words are "climate change."

Climate change, over the last few years, has regrettably lost credibility

in the eyes and ears of the American people because of a concerted campaign of disinformation, a concerted campaign to brand the concept as somehow slightly outside of the mainstream of American political thinking. I have to say it has been a remarkably effective campaign. You can't sit here and say it hasn't worked. Every opportunity to cast a pall on facts with some kind of cockamamie theory has been taken advantage of, and a lot of money has been spent in this process of disinformation and discrediting.

People used to joke years and years ago about those who argued that the Earth was flat. For a long period of time, people argued that the Earth was flat, even though the evidence of astronomers and explorers evidenced that it was in fact quite the opposite. So we have, in effect, with respect to climate change in America today what is fundamentally a "flat Earth caucus"—a bunch of people, some in the U.S. Congress itself, who still argue against all of the science, all of the evidence, that somehow we don't know enough about climate change or that the evidence isn't sufficient or that it is a hoax. We have Members of the Senate who argue it is a hoax. But that is all they do. They make the argument it is a hoax, but they don't present—and they can't—any real, hard, scientific, peer-reviewed evidence to the effect that it is in fact a hoax. The reason they can't is there are 6,000-plus peer-reviewed studies, which is the way science has always been done in America. If you are a scientist and you are a researcher, you do your science and research, and then your analysis is put to the test by your peers in those particular disciplines. They pass on the methodology, the pedagogy by which you arrived at your conclusions.

We have more than 6,000 of those kinds of properly peer-reviewed analyses of the science of climate change, and the other side of the ledger has not one—not one, zero—peer-reviewed analysis that says human beings aren't doing this to the atmosphere and that humans are not contributing or the main cause of what is happening in terms of the warming of the surface of the Earth.

What has happened is that in America we all know it. We are seeing it in campaigns because of Citizens United. You have these unfathomable amounts of money being thrown into the political system—millionaires and billionaires who plunk down millions of dollars—a \$10 million or \$20 million check at a whack—and then what is happening is people buy their facts. They create their facts out of whole cloth.

As we all have been reminded so many times in the last year, certainly, because of this new debate we are having in America—as our colleague, with whom I was privileged to serve here, Pat Moynihan, reminded us again and again, everyone is entitled to their own opinion in America, but you are not entitled to your own facts. But in fact, in

American politics today, that is not true. Apparently, you are, because you can go out and buy them. You can buy some scientist to whom you give some appropriate amount of funds, and he does a study with a particular conclusion that has to be found, and they produce a whole bunch of hurly-burly to surround it and suggest that those are, in fact, facts.

The result of this is that over the last year and a half or 2 years, we have had this concerted assault on reason, an assault on science. This isn't the first time in the history of humankind we have been through these things. Galileo was put on trial for his findings and, as we all know, there have been countless periods of time—that is why we went through an Age of Enlightenment, Age of Reason, as people challenged these old precepts that weren't based on fact but were sort of raw belief and/or political interests in some cases, or religious interests in some cases. A handful of Senators here, including Senator BOXER, Senator WHITEHOUSE, Senator SANDERS, Senator LAUTENBERG, the occupant of the chair, and Senator FRANKEN have recently spoken out about this very process by which an incredibly important, legitimate issue of concern to all Americans—to everybody in the world—is being completely sidelined because of the status quo interests of powerful corporations and other interests in America that don't want to change, or some of whom find political advantage in somehow buying into the theory discrediting it.

This has not been an issue on which there is a profile of courage by some in the U.S. Congress who are prepared to stand up and say what they know is true, but what has become far more convenient to avoid. I believe the situation we face is as dangerous as any of the sort of real crises that we talk about.

Today we had a hearing in the Foreign Relations Committee on the subject of Syria. We all know what is happening with respect to Iran and nuclear weapons, and even the possibility of a war. This issue actually is of as significant a level of importance because it affects life itself on the planet, because it affects ecosystems on which the oceans and land depend for the relationship of the warmth of our Earth and the amount of moisture there is and all of the interactions that occur as a consequence of our climate. It involves our health because of policies that we do or don't choose to pursue with respect to pollution in the air.

Pollution didn't used to be a question mark in American politics. We fought that fight in the 1960s and 1970s. Rachel Carson started this enormous movement for reasonableness when she warned Americans they were living next to toxic wells and water that had been polluted by companies that put mercury or other poisons into the Earth, which went down into the water supply, and people got cancer and died.

America decided in the early 1970s—with the first Earth Day in 1970 itself, and the actions that Congress took after that in response to the American people—everybody decided we didn't want that pollution in the air. We actually passed legislation in 1972, 1973, and 1974 that created the EPA.

America didn't even have an Environmental Protection Agency until Americans said we want to be protected, and the people in Congress responded to that. We passed the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Marine Mammal Protection, Coastal Zone Management, and all of these came about because of an awareness among the American people because they wanted to make a different set of choices or have their politicians do so on their behalf. Now, suddenly, there is an assault on the EPA, the Clean Air Act and, all of a sudden, pollution doesn't matter. That is what we are talking about.

Greenhouse gases are, in fact, a pollutant. The particulates that come with that have the same effect on human beings in terms of their breathing, their lungs, the input in some of their food and water, which ultimately impacts cancer, emphysema, and other diseases that come as a consequence of the quality of air we breathe. Yet we have this whole notion now that somehow we have gone too far, that we have done enough, or that the job has been done and we can go home, when, in fact, it is exactly the opposite. With respect to pollution, there are choices, and with respect to health, the single greatest cause of young Americans going to the hospital in the summertime and costing billions of dollars to the American people is environmentally induced asthma. That environmentally induced asthma comes about as a consequence of the ingredients that go into the air. All of this is related.

In addition, there is not one person in the Senate who doesn't know that we are still more dependent than we want to be on foreign oil. We are better than we were, and we have made improvements, but we are still more dependent than we want to be on foreign oil. We could be doing better with respect to that if we pursued an intelligent energy policy. We still don't have an energy policy after the years we have been talking about doing it in the Senate and elsewhere.

Why is that important to climate change? Because energy policy is the solution to the problem of climate change. If you have an effective energy policy, then you are dealing not only with your independence issues, but with the sources of carbon and other greenhouse gases that are causing the problem today. Twenty years ago this year, I was privileged to go with the Senator from New Jersey, Senator LAUTENBERG, Senator John Chafee, Senator Al Gore, Senator Wirth, and others, down to Rio, where we took part in the first Earth Summit, which

President George Herbert Walker Bush took seriously. To the great credit of George H. W. Bush, he not only sent a delegation, he personally went down there and spoke about the issue. He helped to embrace a forward-leaning idea. I think 160-some nations signed onto an agreement to try to restrain greenhouse gases. That was back in 1992. It was incredible.

Here we are, 20 years later, and we could not even get the time for the Senate to send a delegation down there, let alone enough people who thought it was important and of interest. The Earth summit, 20 years later, came and went without any major step forward or progress, and the procrastination continues.

Mr. President, today I remember the debate when we came back from Kyoto, in 1998 or so, and we had a debate in the Senate about whether the United States should take part in the Kyoto Treaty. We all know now, as a matter of long history, that we didn't because it was viewed as being too unilateral. In fact, everybody had the question of, what about China? We can't possibly sign up for this because China will not do it, and they will go racing ahead of us and continue to grow their economy at the expense of the United States.

Well, Mr. President, guess what. Today China is the leading clean energy producer in the world. China. The United States of America invented the technologies 50 years ago—of solar and wind, renewable energy technologies such as turbines, the transmission, and so forth, and photovoltaics. About 4 years ago, China had about 9 percent of the market. That was 4 years ago. Two years ago, China had 40 percent of the market. Today China has over 70 percent of the global solar market, and the United States, which invented the technology, doesn't have one company in the top 10 solar panel producers, solar energy producers in the world.

You know what is happening. Ninety-five percent of what China produces it exports to other countries, including the United States. So here we are, we give up our lead, and we don't get the jobs. Everybody is screaming about jobs. The energy market is a \$6 trillion market with about 6 billion users. Just to put that in perspective, the market that created the great wealth of the 1990s in the United States was in fact a \$1 trillion market with about 1 billion users. That was the technology market. We saw it with personal computers and with the rest of the telephone communications technology of the 1990s. We didn't even have an Internet in the United States until about 1995 or 1996 when that began to be commercialized. Yet in that short span of time we created more wealth in America than we had ever created at any time in America's history. We created 23 million new jobs because we led in that new industry.

Here we are today staring at the potential of this extraordinary industry—the energy market—and we are just

sitting on our hands while other countries take it and run with it and grow their economies. We are sitting around saying: Where are the jobs?

It is an insult. It is an insult to our intelligence. It is an insult to every American's aspirations about where they would like to see our country go. And the fact is it is not just China, but India, Mexico, Brazil, South Korea, and countless other countries have taken greater advantage of this than the United States.

One of the principal reasons we have trouble getting that market moving is we refuse to put a real price on the price of carbon. Carbon has a price. Everything we are doing to our country and to our communities today as a result of pollution is a price we are going to pay. But that price is not subsumed into the price of products, the price of doing business or anything else because we just avoid it altogether.

A lot of people here continue, unfortunately, to avoid the science and just not deal with the reality of what is happening. But 2 days ago, Mr. President, in the *New York Times*, there was a very important op-ed that appeared, written by a well-known climate skeptic Dr. Richard Muller, a professor of physics at the University of California at Berkeley. He has written many times about how he did not believe the science was adequate or had produced it. Let me read his words. This is Dr. Muller:

Call me a converted skeptic. Three years ago I identified problems in the previous climate studies that, in my mind, threw doubt on the very existence of global warming. Last year, following an intensive research effort involving a dozen scientists, I concluded that global warming was real and that the prior estimates of the rate of warming were correct. I'm now going a step further: Humans are almost entirely the cause.

That is what this former climate skeptic has said. Bottom line: We need to be armed with the facts, not with empty rhetoric. That is exactly what Dr. Muller set out to do. Let me quote him again:

We carefully studied issues raised by skeptics: biases from urban heating (we duplicated our results using rural data alone), from data collection selection (prior groups selected fewer than 20 percent of the available temperature stations; we used virtually 100 percent), from poor station quality (we separately analyzed good stations and poor ones) and from human intervention and data adjustment (our work is completely automated and hands-off). In our papers we demonstrate that none of these potentially troublesome effects unduly biased our conclusions.

Now, obviously, we all know the future has a hard way of humbling people who try to predict it too precisely, but I have to say, when the science is screaming pretty consistently over a period of 20 years—and not just screaming at us to say it is coming back correctly but that it is coming back with faster results in greater amounts than the scientists predicted—as a matter of human precaution that ought to be an alarm bell and people ought to take note.

Here again is what Dr. Muller says:

What about the future? As carbon dioxide emissions increase, the temperature should continue to rise. I expect the rate of warming to proceed at a steady pace, about one and a half degrees over land in the next 50 years, less if the oceans are included.

And then he says ominously:

But if China continues its rapid economic growth—

And I say, as a matter of parentheses, who doesn't believe China isn't going to do everything in its power to continue its growth path and do what it is doing? So he says:

But if China continues its rapid economic growth (it has averaged 10 percent per year over the last 20 years) and its vast use of coal (it typically adds 1 new gigawatt per month), then that same warming could take place in less than 20 years.

Less than 20 years, folks. In North Carolina recently State Senators actually voted not to do any planning for the potential of sea level rise, even though scientists today tell us the sea level is rising. Ask insurance companies about what they are thinking in terms of their potential exposure and liability as we look down the road with respect to the disasters that could come as a consequence of these changes.

So the plain fact is we have all of the evidence—and I am not going to go through all of it right now, but it is there for colleagues to analyze—countless studies of what is happening in terms of the movement of forests—literally, movement—as it migrates, and species that have left Yellowstone National Park and migrated north. Talk to the park rangers. Talk to the folks in Canada and in Colorado and Montana and other places about the millions of acres of pine trees that have been destroyed by the pine bark beetle that now doesn't die off because it doesn't get as cold as it used to. Talk to people in Canada and in the Northern United States who used to skate on ponds that used to freeze over but that don't freeze over anymore.

There are hundreds of examples. Talk to the Audubon Society. Ask them about the reports from their members about certain plants and shrubs and trees that don't grow in the same places they used to. There is a 100-mile swath in the United States now where there has been a migration of things that grow and don't grow. This is going to have a profound impact on agriculture in our country as we go forward if it continues. And I would just share with my colleagues why that is true beyond any scientific doubt.

The first scientist who actually wrote something about global climate change was a Swedish scientist by the name of Arrhenius, and he wrote around the turn of the 19th century—1890 or something, I don't remember the year. But he is the guy who first said there was this relationship to the gases trapped in the atmosphere and this thing called the greenhouse effect. In fact, science has now determined to

a certainty the reason we can breathe on Earth today, the reason it is warm enough for us to live, the reason life itself exists on Earth is because there is a greenhouse effect. And it is called a greenhouse effect because it behaves just like a greenhouse.

The light comes down from the Sun at a very direct angle on many things on Earth and is reflected back from things such as the ice and snow and off roofs and parking lots and other things. But in the ocean and in certain other dark spots it is subsumed into that mass, and it goes back much more opaque than it comes down in its directness. The reason, therefore, for the greenhouse gas is that it doesn't escape. It doesn't break out of the thin veneer of the atmosphere that contains the gases that create the greenhouse effect, which actually creates an average temperature globally of about 57 degrees Fahrenheit.

That is why life can exist; we have a greenhouse effect. And it stands to absolute high school, if not elementary-middle school logic, if a certain amount of gases are contained, and there has always been balance to some degree, and you add to that massively and thicken the amount that is there, less heat is going to escape and we wind up augmenting that effect of the greenhouse.

Scientists tell us now—and I am not a scientist, but I learned how to listen to them and at least read the science and try to think about it—that in order to keep the temperature of the Earth somewhere near where it is today or within the permissible range of change, we have to keep our greenhouse gases at—originally, they said—450 parts per million. As they then noticed the damage and did more calculation, they came and said: No, 350 parts per million.

Why is this important? Because today, as we are here assembled in the Senate, we are now at 397 parts per million. We are above where they say you have to hold it. And worse, without doing anything—and we are not doing anything—we are only adding amounts; we are moving at a rate that will take it up to 500 or 600 parts per million. If that happens, we will be at a tipping point with respect to the amount of temperature change—5 to 7 degrees—and nobody can predict with certainty what happens, except that we know the ice already melting in Greenland and in the Arctic will melt faster and disappear. As more water is exposed, that dark water subsumes more of the heat, and the heat creates greater, more rapid melting. And that is exactly what scientists are seeing in the Arctic and Antarctic today, where whole blocks of ice the size of the State of Rhode Island have broken off and dropped into the sea and floated south to melt.

There are dozens of other examples of what is happening. I said I wouldn't go into all of them today. I would just say



to my colleagues, please read and challenge the science and talk to the people who are the peer reviewers of these analyses because we have a responsibility here, to future generations and to all of us, to try to get this right. And in the balance of right and wrong, I don't understand the judgment some people are making.

We know this is a \$6 trillion market. We know that if we were to price carbon, the marketplace would move rapidly toward the kinds of technologies and new job creation that would respond to that pricing and the United States could become a seller of these technologies and a builder of these new energy capacities in various parts of the world.

Astonishingly, the United States of America doesn't even have an energy grid. The east coast has an energy grid, the west coast has an energy grid, Texas has its own energy grid, and from Chicago out to the Dakotas, there is sort of an energy grid. But the entire center of the United States is just a great big gaping hole where we don't have any connected energy transmission capacity, and the result is that we can't produce renewable energy down in the four corners of the Southwest—in Colorado, New Mexico, Arizona, and so forth—and sell it to Minnesota in the wintertime or to New England, where we pay a very high price for energy. We can't send energy from one part to the other in the United States of America. It is an insult.

We need to build a national energy grid, and in the building of that grid, there are countless jobs to be created for Americans and countless technologies to be developed. For every \$1 billion we spend on infrastructure, we put 27,000 to 35,000 people to work. If we passed our infrastructure bank effort here in the Senate, for \$10 billion of American taxpayer leverage, we could have \$650 billion to \$700 billion of infrastructure investment paid for by Chinese investment, by Arab Emirates investment. It wouldn't cost the American taxpayers a dime to be building America and putting people to work. We are not doing it, and we are not even building the energy grid of our Nation.

I must say to my colleagues, the avoidance here of responsibility for a whole host of choices we ought to be making—and obviously, yes, it begins with the deficit and the debt, and we can deal with those issues. There isn't a person in the Senate who doesn't understand what the magic formula is going to be to do that. But everybody wants to wait until the end of the election. I got it. But this issue has been waiting and waiting for 20 years now while other countries are stealing our opportunities to be able to be in the marketplace and winning.

Nothing screams at us more than the need to have an energy policy for our country that begins to address the realities of climate change, and nothing

screams at us more than to tell the truth to the American people about climate change, to stop having it be an unusable word in American politics and not to allow it to become a source of attack and ridicule with nonfacts and a bunch of cockamamie theories that have no foundation in science or in the kind of analysis that does this institutional justice.

I hope over the course of the next months we can have this fight because nothing less than our economic future—which is, in the end, our greatest strength for our military, for our security, for all of our objectives—that is what is at stake in this effort. I hope we will finally wind up doing what is right.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, before the senior Senator from Massachusetts leaves the floor, I wish to commend him for his constant leadership on matters of a better environment, more effective ways to get our energy without spoiling the environment and putting what amounts to toxins in the air. I congratulate him for his constant leadership in this area.

#### SAFE CHEMICALS ACT

Mr. President, one thing Democrats and Republicans share is a desire to keep our children and grandchildren safe and healthy. Many of us remember the days when we simply counted to make sure our newborns had all of their fingers and toes and breathed a sigh of relief, but parents today face many more threats. As industrial chemicals have more common in consumer products, we have seen an increase in certain birth defects, childhood cancers, and behavioral disorders. That is why I have written legislation to reform our chemical management system and give parents peace of mind about chemicals in household products. My Safe Chemicals Act passed out of the Environment and Public Works Committee last week, and I hope we are going to see it on the floor of the Senate this fall.

We think of the home as a place where our families are safe. We don't expect the carpet in our bedrooms, the shampoo in our showers, or the detergent in our laundry to pose a threat to our family's health. Many everyday products contain chemicals. Most Americans just assume those chemicals have been tested and proven safe. But for the vast majority of chemicals in products in our homes, safety testing is not required, and we look at the articles that suggest what kinds of things we are talking about.

Every morning, millions of American kids wake up in beds that have been treated with chemicals, their breakfasts are cooked on pans coated with chemicals, and their plates are cleaned with chemicals. Today, EPA lists more than 80,000 chemicals in its inventory, many of which are in regular household products—products that our children are exposed to every day.

We see here a child getting a bottle. It is made of plastic, and we don't really know what is in it. I think we can all agree that a chemical that comes into contact with a child should be tested to see if it is safe.

Many, if not most, chemicals in products are safe, but we know some are not. There have been too many cases of toxic chemicals showing up in our everyday lives that have horrible health effects, and we have found that out only after our families have been exposed.

Recently, the Chicago Tribune exposed the latest example of untested chemicals wreaking havoc in our bodies. The Tribune reported that flame retardants are widespread in furniture, electronics, and other items throughout our homes. In fact, the average couch contains 2 pounds of chemical flame retardants.

As we see here, a sofa like this looks as if it is all good and no harm could come, but there could be chemical materials in there that are releasing toxic fumes. Chemicals in products don't always stay in products. Many of them find their way into our bodies. It is not clear that we are safe with any of these products because we don't know just exactly what is in there.

In fact, the Tribune tragically found that a typical American baby is born with the highest concentrations of flame retardants in the world. And many flame retardants are highly toxic. Children born with high concentrations of flame retardants can suffer devastating consequences for the rest of their lives. Flame-retardant chemicals have been linked to cancer, developmental problems, and other health risks. High levels of these chemicals put newborns at greater risk of low birthrates and birth defects, and then in childhood they face lower IQs and problems with fine motor skills. Even in adulthood, women who were born with flame retardants in their blood can have trouble becoming pregnant. Imagine, we are setting our children back from day one, before they have taken their first breath.

Flame retardants are just one example of the problems with our chemical safety system. According to the Centers for Disease Control and Prevention, Americans typically have 212 industrial chemicals—including 6 that cause cancer—coursing through their bodies. We know these chemicals can have serious health effects. We can see what kinds of health effects. Chemical exposure accounts for as much as 5 percent of childhood cancers, 10 percent of diabetes, 10 percent of Parkinson's disease, and 30 percent of childhood asthma. That is not a very comforting idea.

These chemicals are still around and untested because the 35-year-old law that is supposed to assess and protect against chemical health risks is broken. That law, called TSCA, is so severely flawed that the nonpartisan Government Accountability Office testified that it is "a high-risk area of the

law." I want to repeat that. The law called TSCA is so severely flawed that the Government Accountability Office testified that it is "a high-risk area of the law." That is a credible government department saying this is a high-risk area of the law.

Of the more than 80,000 chemicals on EPA's inventory, TSCA has allowed testing of only around 200 chemicals and restrictions on only 5. That is more than 80,000 chemicals that are being used routinely, in EPA's inventory, that might affect children or adults in a household.

Until this law is fixed, toxic chemicals will continue to poison our bodies and threaten our health. This status quo is dangerous, and it is unacceptable. We have heard from parents across the country that we should not wait any longer for reform. We had a demonstration here in Washington just a few weeks ago with people asking for safer chemicals now. They are worried about it. They are parents. They don't want their children exposed to chemicals that might injure their health.

It is easy to do. These chemicals should be tested before they are made into products, and then we don't have to worry about whether we are doing something that puts our kids at risk. We have already waited too long. Entire generations have grown up in homes filled with untested chemicals. Every year, more chemicals are introduced, more children get sick, and more lives are put at risk.

I was proud when the Environment and Public Works Committee took an important step last week by passing the Safe Chemicals Act. We began working on TSCA reform in 2005. In the 7 years since, we have explored the topic from many angles. We talked to scientists, workers, business leaders, State officials, firefighters, researchers, legal experts, and parents who are concerned about their children's health. We also heard from Senators on both sides of the aisle. Throughout this process, we have listened and we have learned.

The result is a commonsense bill that lays out a vision for strong but pragmatic regulation of chemicals. The bill requires the chemical manufacturers to demonstrate the safety of their products before they end up in our bodies. We already require this for pharmaceuticals and pesticides, so there is not any reason we should not require the same of industrial chemicals that are found in products in our bodies. The European Union, Canada, other countries require safety testing, but Americans remain unprotected. That is not acceptable.

I have received letters in support of the Safe Chemicals Act signed by more than 300 public health organizations—businesses, environmental organizations, health care providers, labor unions and, again, concerned parents. Twenty-four Senators have cosponsored my Safe Chemicals Act and I believe the full Senate should now be

given a chance to vote for or against the testing of these industrial chemicals. We want to debate it on the floor of the Senate. We want families to know what we are thinking about as we go through this process. They deserve to know that Congress cares more about their kids' health than the concerns of the chemical industry lobbyists.

I come to this conclusion: There is risk out there that we take unnecessarily. It is time to take action to clear this up. It would be a positive act for the chemical manufacturers so they would not have to worry about responding to challenges from laws in 50 States but rather be under one guideline that takes care of them all.

It is time to take action. The health of our children is at stake. I hope my colleagues across the Chamber will stand and say yes, you are right, it is time we challenge what we know is an exposure that should not exist. Simply done, it would move the process very quickly, letting us know that everything we have that has a chemical component to it is safe for our use.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Dakota.

#### PROGROWTH TAX REFORM

Mr. HOEVEN. Mr. President, I rise to speak on the need for progrowth tax reform. It is a subject I have been here on the Senate floor speaking about repeatedly over the course of the year and certainly over the course of the recent weeks.

Last week the Senate voted on several tax measures. One of the measures was a measure we offered which would continue the current tax rates for a year, giving us an opportunity to engage in progrowth tax reform. That bill was defeated in the Senate.

The other bill, a bill which I voted against, was a bill that would raise taxes on approximately 1 million small businesses in this country. In fact, that bill was passed. But the fact is that under the Constitution any tax measure has to start in the House of Representatives. In fact, that is what is going on today. They are voting on a measure that would extend the current tax rates for a year, giving us the opportunity to engage in progrowth tax reform which I believe would truly help galvanize our economy and raise revenue for our country, not through higher taxes but in fact through growth and through more revenue from economic growth.

I believe that is exactly what we have to support in the Senate as well. The measure the administration favored, and that was earlier passed, as I

say, will be blue-slipped so it will not take effect, but the problem with that measure is it would raise taxes on individuals and small businesses. Almost a million small businesses across this country would pay higher taxes and they are the generators of jobs for our economy. It also raises taxes on capital gains and it raises estate tax as well.

Let me talk about the estate tax or the death tax provision for a minute. Right now the estate tax provides an exemption on the first \$5 million and then amounts in an estate over that \$5 million threshold are taxed at 35 percent. However, reverting to the pre-2001-2003 tax rates, which happens at the end of the year unless action is taken—unless action is taken by both the House and the Senate to extend the current rates—then we revert to the tax rates before the 2001-2003 tax reductions. That means instead of a \$5 million exemption and a 35-percent tax rate on estate tax or the death tax, we go to a \$1 million exemption with a 55-percent tax rate after that.

Think about what that means to our farms and our small businesses across the country: 24 times more farms will then be in an estate tax situation and something like 14 times more businesses will be in an estate tax situation. What does that mean? What it means is when a family member dies and it is time to pass on that farm or pass on that business, they are going to have to borrow money to try to pay the estate tax. That farm or that business is going to have to generate enough revenue to pay that estate tax. If you cannot pay that estate tax at 55 percent of the value of what you are passing—if that business or that farm cannot service that level of debt, then you have to sell that farm or sell that small business, which may have been in the family for many generations. Remember that those farms, those ranches, those small businesses are the backbone of the American economy and here we are, at a time when we have 8.2 percent unemployment and we are trying to get this economy going and we are putting our small businesses across this country in that situation.

That is why it is so important that we act. That is exactly what we have proposed. We have said rather than putting our economy in that situation right now, let's set up a 1-year extension of current tax rates, let's engage in progrowth tax reform where we actually lower rates but close loopholes, which will generate economic growth, and we will get revenue from economic growth rather than from higher taxes. That is vitally important.

In fact, on a bipartisan basis 2 years ago that is what we did, we extended the current tax rates. I think we had 44 Democratic votes to do that here in the Senate. Republicans voted for it. I think across the board we had 44 votes on the Democratic side. Also, it was a bipartisan measure. I argue that is exactly what we have to do again. Even

the President—who came out that he supported doing exactly what I laid out because, he said, we can't raise taxes in a recession. He said raising taxes would hurt the economy and would hurt job creation.

If you look at the statistics today, we are actually in a more difficult economic situation now than we were then. Unemployment is at 8.2 percent and has been over 8 percent for more than 41 straight months. There are 13 million people who are out of work, 10 million people are underemployed, which makes 23 million people either looking for work or looking for a better job. Middle-class income has declined from approximately \$55,000 to about \$50,000 since this administration took office. Food stamp usage has increased from 32 million recipients to 46 million recipients, and as we have seen, economic growth is about 1.5 percent.

As far as job creation, there were 80,000 jobs gained during the month, but we need 150,000 jobs gained during the month just to keep up with population growth and not have our unemployment rate increase. So these are the facts, and the facts speak for themselves. We need to extend the current tax rates, we need progrowth tax reform on a bipartisan basis, and we need to get control of our spending.

If we look at the latest numbers from CBO, CBO says without taking those steps we are looking at economic growth next year of maybe one-half percent for the entire year. If we take the steps to address the fiscal cliff, as I have described, and take those steps to undertake progrowth tax reform, CBO talks in terms of a 4.4-percent growth rate next year. Think what that means to 13 million unemployed people. It means the difference between getting a job and not getting a job.

The uncertainty that our economy faces right now because of the expiration of the current tax rates at the end of the year, and businesses not knowing what is going to happen, is freezing investment capital on the sidelines and freezing business expansion. There is more private capital and investment capital sidelined now more than in the history of our country. We unleash it, and we get it going not by raising taxes but by providing the legal tax and regulatory certainty—the kind of progrowth tax reform with closing loopholes, as I have described—to get this economy going.

The administration says: Well, everyone needs to pay their fair share. I think that is certainly true. We are saying exactly that. That is exactly what we do by engaging in progrowth tax reform and closing loopholes. Everyone is treated fairly, and everyone pays their fair share.

In fact, just to give a sense of that whole concept, let's look at who pays the income taxes right now according to the National Taxpayers Union. Today the top 5 percent of taxpayers pay almost 60 percent of the income tax in this country. The top 10 percent

pay almost 70 percent of the income tax in this country. The top 25 percent pay almost 90 percent of the income tax in this country. The top 50 percent of taxpayers pay 98 percent of the income tax that is paid in the country.

So the point is, let's engage in progrowth tax reform that will get our economy growing rather than stagnant as it is today. It is that economic growth that puts our people back to work and truly generates the revenue, not higher tax rates which will hurt our growth. We can lower rates, close loopholes, come up with a fairer system that is simpler and will generate revenue through economic growth. That is the only way that economic growth, along with controlling and managing our spending, will get us on top of our debt and deficit and get Americans back to work. We need to do it in a bipartisan way. We can do it. We have done it before, and we absolutely need to get started, and get started now, for the good of the American people and the good of our country.

If I may, I want to close on one short message; that is, as the House works on a tax measure—as I described today—to extend the current tax rates and put us in a situation where we can truly engage in progrowth tax reform, I also urge my colleagues in the House to make sure that at the same time they are acting on farm bill legislation and not just the drought legislation.

We passed a farm bill in this Senate several weeks ago on a bipartisan basis. I hope they are able to do the same thing and pass a farm bill in the House on a bipartisan basis as well that we can go to conference with. I believe the bill we produced in the Senate and the bill they have produced in the Agriculture Committee can be brought together in a conference committee. We can pass a farm bill that will be cost effective, will save money, and help reduce the deficit.

The bill we passed would generate \$23 billion in savings to help address the deficit. It would provide the right kind of safety net for our farmers and ranchers and ultimately this: Good farm policy benefits every single American because our farmers and ranchers produce the highest quality, lowest cost food supply in the world. That benefits every single one of us, not to mention creating a lot of great jobs throughout the country.

So I call on the House to act on that farm bill as well as engage in the kind of progrowth tax reform that I know will truly benefit our country.

With that, Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Chair.

(The remarks of Senator INHOFE pertaining to the introduction of S. 3473 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. INHOFE. Madam President, I have a little bit of a problem in that I do not want to take time from the Senator who is in line to speak after me. But I would like to serve notice that there have been several things that were said on the floor today concerning this whole idea of global warming. We had a hearing this morning. It was kind of revealing because they have done everything they can to pass cap and trade, and it has not happened.

I wish to correct some statements that were made by Members. When the time comes that I have about 20 minutes to do this, I will do that. It will probably have to be later today because of the clock that is running now.

I yield the floor for my friend to take his turn.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Madam President, I rise this afternoon in support of the bipartisan Cybersecurity Act of 2012, and I wish to share my concerns about the very real cyber threat facing our country. Most importantly, I rise to urge all my colleagues to move forward to the passage of this pending cyber security bill for the good of our national security. Top experts and respected members of both political parties have told us that time is wasting; we must debate and pass this critically important piece of legislation.

Cyber security policy is an issue with which I am deeply involved, given my seats on the Senate Intelligence Committee and the Senate Armed Services Committee. Moreover, Colorado's military and defense communities play a prominent role in defending our country, the United States, against cyber attacks.

The Air Force Space Command, located at Peterson Air Force Base in Colorado Springs, is responsible for protecting American space-based assets from network intrusions. The U.S. Northern Command, also located at Peterson Air Force Base, recently established a Joint Cyber Center to help provide on-demand cyber consequence response to civil authorities.

Multiple defense and technology industry companies based in Colorado also contribute hardware, software, and expertise to the effort to keep our networks and infrastructure secure.

Our Federal labs also conduct critical research into cyber security, most notably the National Institute of Standards and Technology, otherwise known as NIST, which is located in Boulder. They play a key role in helping establish cyber security standards.

The threats posed by cyber attacks have long been recognized, but we in the Congress have yet to act upon

these threats in a comprehensive way. It is as if we see the danger in front of us, but yet we cannot find the courage to face it. But Congress cannot afford to wait for a 9/11-sized attack in order to act. Waiting for a catastrophic act—something military and intelligence leaders and a bipartisan collection of national security experts are warning us against—is the exact opposite of leadership and the exact opposite of what our constituents expect us to do.

This debate, to me, has seemingly, unfortunately, unraveled into an antiquated argument about the public sector versus the private sector. We cannot let old ways of thinking bog us down. This is a threat that can only be addressed by both the public and private sectors working together.

The private sector owns 85 percent of our Nation's critical infrastructure, which is itself heavily dependent on computer networks. A successful attack on our critical infrastructure could result in disabled power grids, refineries, and nuclear plants, disrupted rail systems and air traffic control and telecommunications networks. A successful attack could bring commerce to a halt, our financial markets to their knees. It could also escalate into a war in cyber space or even a shooting war.

To defend against these serious threats, particularly those that involve national security, there needs to be an exchange of information between the public and the private sectors. Of course, allowing the government and industry to share information must be done with sufficient safeguards, so any legislation authorizing such sharing needs to strike a balance between privacy and civil liberties protections. I believe the bill's authors have achieved such a balance.

I recognize it is often difficult to find consensus on how to defend our Nation from security threats. Sometimes that is because we cannot agree on the nature of our vulnerabilities and in what priority to address them. Unfortunately, sometimes Congress is too polarized to act until after a crisis occurs.

But in the case of cyber security, we already know our Nation's computer networks are increasingly vulnerable. There is widespread agreement about the severity of the threat. Just last month, Defense Secretary Panetta testified before Congress that cyber attacks could "virtually paralyze this country." The threat is not impending, it is here. We already know many of the steps we need to take to mitigate or prevent these attacks. The only issue getting in the way is politics. Frankly, Coloradans are tired of this. They want us to reason together and solve our most vexing national challenges.

The Cybersecurity Act of 2012 is not overly intrusive. It has been scaled back to a voluntary system of industry-driven security standards for critical infrastructure. The bill's authors have offered a further amendment to

address some of the remaining concerns of the bill's opponents. As much as the bill's authors have compromised and worked with groups and businesses from across the policy spectrum, one would think they would get more in return from the Republicans than a demand to vote on the repeal of health care reform. But that is where the debate stands, and it is not a proud moment for our Chamber.

The cyber security bill before us may not be perfect. In fact, I have offered three amendments that I believe make this an even stronger bill.

The first would require the administration to provide a detailed plan on how it would develop a highly trained, robust Federal cyber security workforce. A stronger Federal workforce will not only better protect government assets, but these individuals will go on to fill critical roles protecting cyber assets in the private sector.

My second amendment would establish permanent faculty positions to train the next generation of military cyber leaders at the U.S. Air Force Academy.

My third amendment would require the assessment of the costs and benefits of building a strategic stockpile of extra high voltage transformers. We do not produce these highly specialized pieces of equipment domestically, and it would take months to replace transformers damaged by a physical or cyber attack.

I hope my colleagues will join me in passing these commonsense amendments aimed at improving our national security.

This cyber security bill is over 3 years in the making. I find it ironic some argue the process has been rushed and we need more time. But I believe this bill is long overdue and we simply cannot afford not to act.

As the head of U.S. Cyber Command and the Director of the National Security Agency, General Alexander, wrote in a letter to Congress this week, "The cyber threat facing the Nation is real and demands immediate action."

This is coming from the national security official who knows more than anyone about the cyber threats facing our country. As a member of the Intelligence Committee, I take his cautions and advice very seriously. The rest of us should as well.

As I close, I urge all of us, let's put aside partisan ploys and partisan differences. Let's work together to amend and pass this vitally important cyber security bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I understand the floor time is pretty much used up between now and 6:30. I have made inquiries. I understand I will have time at 6:30 for 25 minutes. I ask unanimous consent that I be recognized at 6:30 for 25 minutes.

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

Mr. INHOFE. I understand the next speakers are in the cloakroom at this time. 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. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. LEAHY. Madam President, more than eight months ago, Senator CRAPO and I, two Senators from very different parts of the country with very different political perspectives, joined together to introduce the Leahy-Crapo Violence Against Women Reauthorization Act of 2011. We put aside our political differences, listened to the law enforcement and victim services professionals, and drafted a bill that put victims first.

It has been more than 3 months since an overwhelming majority of the Senate joined us in our bipartisan effort to pass the Violence Against Women Reauthorization Act of 2011 with 68 votes, more than two-thirds of this body, including every woman Senator, Republican and Democratic. In doing so, the Senate sent a very clear message. We said stopping domestic and sexual violence is a national priority, and we are going to stand together, Republicans and Democrats alike, to protect all victims from these devastating crimes—all victims. It was very clear. If you are a victim of domestic and sexual violence, we are passing laws to help protect you, no matter who you are or where you live in this country.

Having sent such a strong bipartisan message from this body, I was—I don't know whether to say bewildered or shocked to see the House Republican leadership abandon the bipartisan approach that was so successful in the Senate. Instead of allowing a vote on the Senate-passed bipartisan bill that has the support of more than 1,000 national, state, and local victim service organizations, they insisted on crafting a new, partisan measure that intentionally stripped out protections for some of the most vulnerable victims and weakened existing protections for others. They refused to allow votes on amendments as we had done here in the Senate, choosing to stifle a full and honest debate about how to best meet the needs of victims.

This overtly political approach was too much even for some in their own party. Nearly two dozen House Republicans, including the chair of the crime victims' caucus, stood up and voted against the inadequate and harmful House bill. That opposition was not surprising since a similar provision offered during the Senate debate was rejected by 61 Senators, including nine Republicans.

The House Speaker's recent announcement naming as conferees only

Republicans who supported that misguided and deeply partisan effort is hardly a step forward. Instead, I wish the Republican House leadership would do what it should have done four months ago—take up, debate, and vote on the bipartisan Senate-passed bill. I have no doubt we could reauthorize this life-saving bill in short order if they would just allow their members a straightforward vote on the merits.

Instead, Speaker BOEHNER continues to hide behind a procedural technicality, called a “blue slip,” as an excuse to avoid debating the bipartisan Senate bill. He acts as if he has no choice, but this is nonsense. The Speaker can waive the technicality and allow the House to vote on the Senate bill at any time. He is choosing to hold up this bill, and those efforts must stop.

Since the Senate bill passed, I have been consistently calling for House action on the legislation. Earlier this summer, Senator MURKOWSKI and I wrote a bipartisan letter to Speaker BOEHNER, urging him to allow an up-or-down vote. Two weeks ago, five House Republicans followed suit, calling on Speaker BOEHNER and Majority Leader CANTOR to take up the Senate-passed bill to resolve the “blue slip” problem. And yesterday Republican Representatives BIGGERT and DOLD again urged the House to work with the Senate to get this vital legislation signed into law.

But if the Speaker and the Republican leadership in the House insist on ignoring victims and the voices of the professionals in the field, and those in their own party, and continue to delay this crucial legislation on a technicality, a technicality which has been waived over and over again since I have been in the Senate, I think the Senate should once again lead by example.

We can solve this problem tonight—tonight, within the next few hours. If the Senate Republican leadership wants to get VAWA, the Violence Against Women Act, done, it can be done. We could take up a House revenue bill, substitute the bipartisan Senate VAWA bill, and send it to the House immediately.

To those who are watching and listening, this may sound like, what are these legislative moves? What they are is a simple thing I have seen done hundreds of times since I have been here. It would be our way of saying we want to stop violence against women. We have passed a bill that had Republicans and Democrats come together across the political spectrum. Now we are sending it to the other body, saying follow our example.

Majority Leader REID proposed this path forward nearly 2 months ago, but he was blocked by the Republican side. There is no good reason for their objection. Just this year, Republican Senators unanimously agreed to a similar procedure in order to overcome blue slip issues with both the transpor-

tation bill and the FAA reauthorization bill. Let’s be clear about this—with just a little cooperation from Senate Republicans, we can move VAWA now. What I am saying is that just as 68 of us, Republicans and Democrats, came together before to pass this bill, I would urge the Republican leadership to join us and stop blocking it from moving forward.

We have only a precious few days left in this Congress to get this bill passed. The procedural excuses must stop. Partisan politicking must end, just as Senator CRAPO and I, two Senators of different political philosophies, came together when we started this process so many months ago, we came together to focus on the victims but also to make good on our promise to stop domestic and sexual violence in all its forms against all victims.

I have said so many times on this floor, this matter is deeply personal. I went to a lot of these crime scenes as a young prosecutor, a young prosecutor with a young family. I would see a victim of violence, sometimes a bloodied and barely conscious victim being taken in an ambulance to the hospital—but sometimes seeing a bloody corpse on the floor and then we would find out, as we unraveled the case, that we could have intervened and stopped this death if we had only had the tools. Well, now those early detection and intervention tools exist and we can stop this violence. Those tools, critical resources to reduce domestic violence homicide, are in the Senate-passed VAWA bill but they will not become law unless we act to pass this legislation now.

What I also learned is that the police officers who came to help investigate and help get the perpetrator, they never asked: Was this victim a Republican or Democrat, rich or poor, white or black, gay or straight, Native American or immigrant. They just said, as I have said so many times on the floor and the distinguished Presiding Officer, who herself was a prosecutor, has said: A victim is a victim is a victim.

I do not want to just be able to arrest people after the victim is dead. I want programs to stop the person from being abused in the first place. I want to protect victims before they become victims. If there is anything in this country that should unite all of us, it should be this, just as it united us before. Let’s send it on to the other body. Let’s get it passed. Let’s get it on the President’s desk, and let’s hope we save the lives of people.

Helping these victims—no matter who they are—must be our goal. Their lives depend on it, and they are waiting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Madam President, I am honored to follow the Senator from Vermont, who has been such an extraordinary leader in this area, and look forward to yielding shortly to

the Senator from Washington, who has championed this bill and helped us all see the urgency of approving it.

In the minutes that I will be talking, and they will be brief minutes, every minute, two to three women will become victims of domestic abuse. Every minute that I am standing here, every minute that we occupy with debate and delay on this measure, two to three people in the United States, the greatest country in the history of the world, will become victims of domestic violence.

We cannot afford to wait. That is why I urge that my colleagues advance this critical piece of legislation and urge the House of Representatives to agree to the Senate version of this bill so we can make this bill more inclusive to include Native Americans and immigrants and others who would not be covered by the House version.

We find ourselves at a crossroads. We can either strengthen VAWA or we can retreat and go back. I say let’s go forward with the philosophy that the Senator from Vermont has articulated so well as a prosecutor, not to mention knowing how our police work. We do not ask whether someone is an immigrant, what their sexual preference is, whether they are Native American. We protect them if they are victims of domestic abuse and violence. That should be our philosophy in the greatest country in the history of the world.

There are two protections for battered immigrant women in VAWA that are particularly important. The first allows immigrant women married to an abusive U.S. citizen to apply for legal status independent of that spouse. The second, which is the U visa, provides temporary status to victims who cooperate with law enforcement to prosecute their abuser.

The reauthorization of VAWA is currently stalled principally because of the U Visa provisions in the Senate bill, S. 1925.

Let me illustrate the importance of this provision with one story. A woman who came to Connecticut from Guatemala fled her native country to escape her abuser and arrived in Connecticut in 2005. Her abuser followed her to Connecticut, where he continued to abuse her. He was eventually deported to Guatemala on criminal charges, but she found herself in another abusive relationship. Eventually, she was able to find shelter at a local domestic violence agency. She could not convince family to sponsor her so she could apply for legal status. She would have had nowhere to turn but for a transitional living program for domestic violence victims that connected her to a Connecticut legal aid attorney, who then enabled her to file for a new visa.

I am happy to report that this constituent survivor received her new visa in May of 2012. Because of VAWA, she is now safe, and so is her son.

This story is repeated countless times across Connecticut and the country by women who suffer in silence.

Their undocumented status makes them particularly vulnerable and powerless to escape their abusive situations. My constituents tell me—and I want to listen to them—that we cannot afford to compromise those basic protections that are fundamental to human rights and dignity, and that is why I urge this body, and the Congress as a whole, to move forward, not backward.

Again, every minute, two to three women become the victims of domestic violence. The consequences of this horrific problem are too high and the costs too dire to stay the course and simply repeat the inaction we have seen so far.

Thousands of victims of domestic violence are entrusting us with their safety today. We have an obligation to them to avoid the gamesmanship, end the gridlock, and move forward with S. 1925.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I thank Senator LEAHY and Senator BLUMENTHAL and so many others who have come to the floor to speak on this critical issue.

Today the women of the Senate and the men who support the Violence Against Women Act are on the Senate floor to give Speaker BOEHNER and the Republicans another chance to do what is right. It is another chance to stop the delay. It is another chance to provide peace of mind to 30 million women whose protections are at risk, and it is another chance to pass the inclusive, bipartisan Senate, Violence Against Women Act bill.

The bipartisan Senate bill passed almost 100 days ago by a vote of 68 to 31. Fifteen of our Republican colleagues on the floor—I will repeat that—15 Republicans joined us that day, and they did so because they know the history of this bill. They know every time the Violence Against Women Act has been reauthorized, it has consistently included bipartisan provisions to address the women who have not been protected. They know domestic violence protections for all women should not be a Democratic or Republican issue.

But here we are back on the Senate floor urging support today for a bill that should not be controversial. Just as we did last week, just as we are doing today, and just as we will do in the coming weeks, we will be making sure this message resonates loudly and clearly both in Washington, DC, and back home in our States because we are not going to back down—not while there are thousands of women in the country who are excluded from the current law.

The numbers are staggering. One in three Native Americans will be raped in their lifetime. Two in five of them are victims of domestic violence, and they are killed at 10 times the rate of the national average.

Those shocking statistics are not just isolated to one group of women; 25

to 35 percent in the LGBT community experience domestic violence in their relationships. Three in four abused immigrant women never entered the process to obtain legal status, even though they are eligible. Why? Because their abuser husbands never filed their paperwork.

This should make it perfectly clear to our colleagues in the other Chamber that their current inaction has a real impact on the lives of women across America affected by violence. Where a person lives, their immigration status, or who they love should not determine whether perpetrators of domestic violence are brought to justice.

Last week, the New York Times ran an editorial on this bill that gets to the heart of where we are. It began by saying:

House Republicans have to decide which is more important: protecting victims of domestic violence or advancing the harsh antigay and anti-immigrant sentiments of some of their party's far right. At the moment, harshness is winning.

The editorial also made the point that it doesn't have to be this way. It pointed out:

In May, fifteen Senate Republicans joined with the chamber's Democratic majority to approve a strong reauthorization bill.

It ended with what we all know it will take to move this bill forward: leadership from Congressman BOEHNER. The effort that was started in the Senate last week—an effort that will continue for as long as it takes—is a call for the very same—leadership.

It is time for Speaker BOEHNER to look beyond ideology and partisan politics. It is time for him to look at the history of a bill that again and again has been supported and expanded by Republicans and Democrats and end the delay because, frankly, it is taking a toll.

Every moment the House continues to delay is another moment that 30 million vulnerable women are without the protections they deserve in this country.

The women this bill protects have seen their lives destroyed by the cowardice of those who claimed to care for them. We have a chance now to stand for them where others have not. But the only way we can help protect these women is to prove that we as a nation have the courage to do so—the courage to show them that discrimination has no place in our domestic violence laws. To do that, we need to pass the Senate's inclusive, bipartisan Violence Against Women Act.

Mrs. BOXER. Will my friend yield for a question?

Mrs. MURRAY. Yes.

Mrs. BOXER. I have a question, and I want to make sure everyone listening to this debate gets what is about to happen.

Is it not true that the Senate passed the bipartisan Leahy-Crapo Violence Against Women Act with well more than 60 votes?

Mrs. MURRAY. Yes, the Senator from California is correct.

Mrs. BOXER. Is it not correct that the House passed its version and left out 30 million Americans?

Mrs. MURRAY. The Senator from California is correct. In fact, those 30 million Americans would be covered under the Senate bill. We made sure that Native American women are covered, and we put in important provisions to make sure campus violence is covered, and those provisions have been left out of the House bill.

Mrs. BOXER. Yes. And the immigrant women, as the Senator has discussed, which Senator BLUMENTHAL pointed out, are the most vulnerable because they are so afraid of their status, they are very scared to report that someone is raping them, beating them, or harming them every single day; is that correct?

Mrs. MURRAY. The Senator from California is absolutely correct. We cannot even imagine what it is like to have somebody hold that kind of power over you and use it to beat you day in and day out. We cover those women in this bill so that they have the protections they ought to have as human beings.

Mrs. BOXER. Isn't it fair to say that the 30 million people we cover—which the House leaves out—include college students, enhanced protections for them on campus; the LGBT community; Native American communities; and undocumented immigrants; is that correct?

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. As my friend pointed out, is it not true that when you look at rates of violence against these particular people in our communities, they are higher than the population at large?

Mrs. MURRAY. The Senator from California is correct.

Mrs. BOXER. Isn't it fair to say that the House bill—their version of the Violence Against Women Act left out the most vulnerable people who are the most susceptible to violence?

Mrs. MURRAY. The Senator from California is correct. That is why we have work to do, in a bipartisan fashion in the Senate, to make sure in this country, America, we do not discriminate against women when it comes to violence.

Mrs. BOXER. I have two more points, and then I will yield to my friend so she can make the unanimous consent request.

Isn't it also true that the excuse Speaker BOEHNER is giving as to why he will not take up and pass the bipartisan Leahy-Crapo bill, isn't it true that the excuse is that there is a technical problem, which he calls a blue slip, in the Senate bill? And isn't it true that my friend today is going to ask unanimous consent to correct that problem so that we can send this inclusive bill over to Speaker BOEHNER?

Mrs. MURRAY. The Senator from California is correct. It seems to me such a simple procedure to do, which



we have done many times in the Senate, to just by unanimous consent send the Speaker back the bill so he can't put a piece of blue paper in front of us and say that stands between women and the protections we are trying to pass for them today.

Mrs. BOXER. Finally, I hope, when my friend makes the unanimous consent request, to take the very same text of the Violence Against Women Act, which passed this body with well over 60 votes, and put it into a bill that would overcome the technical problem and enable us to send it back to the House. It is my strong hope that the Republican leadership will not object. If they do, let the whole country understand what they are objecting to: a way to fix this technical problem so that Speaker BOEHNER and the Republicans can pass the Senate bipartisan Violence Against Women Act and include the 30 million people who have been left out.

I thank my friend for yielding.

Mrs. MURRAY. I thank the Senator from California and say that she is absolutely correct. What I am about to do is to ask consent to do what we have done on many pieces of legislation, including the jobs and Transportation bills the Senator from California was able to pass, and the Senate overcame that technicality through a motion on the floor.

We have done it time and time again on bills like that. It seems to me that on a bill like this, which is affecting so many women and their right to protect themselves and the ability to get help in their communities, there should not be a technicality between them and our passing protections for them in this country.

UNANIMOUS CONSENT REQUEST—H.R. 9

Having said that, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 9 and the Senate proceed to its consideration; that all after the enacting clause be stricken, and the language of S. 1925, the Violence Against Women Act reauthorization, as passed in the Senate on April 26 by a vote of 68 to 31, be inserted in lieu thereof; that the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Madam President, rather than doing the usual thing and reserving the right to object, I will object, and then I would appreciate the courtesy, before I offer a parallel UC, to make my remarks.

Mrs. MURRAY. Madam President, has the Senator from Iowa objected to my request?

The PRESIDING OFFICER. Objection has been heard. The Senator from Iowa—

Mrs. MURRAY. Madam President, the Senator from Iowa has objected. I

just have to say that it is stunning to me that the Senator has objected to a simple procedure that we have done many times on Transportation bills and FAA bills and, sadly, now there is an inability to provide protections for the women we have been talking about.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I am going to make a unanimous consent request dealing with the same subject.

Before I do that, I am astounded that it took 100 days for the majority to decide that the bill they wanted to send to the House would be blue-slipped because they kept saying it really wasn't subject to a blue slip. Obviously, the Constitution gives the House of Representatives the power to make that decision, and they made the decision that the fee in this bill would keep it from being accepted by the House of Representatives.

They have obviously overcome that problem. But they have not overcome some other problems with the legislation. My reason for objecting for people on my side who voted against this bill is because of some unconstitutional provisions that it contains, and issues that don't have to be brought up to guarantee there is adequate legislation for fighting violence against women.

By the way, I believe this act, which has been on the books for more than a decade and a half, is going to be carried on. So there is not going to be a situation where, whether or not we go through this process, there is not going to be legislation protecting women on the books. It is just a question whether it will be expanded in a way that was intended to make the bill controversial so, presumably, it could be made a political issue in an election year.

What bothers me about this whole process—besides the fact it has taken 100 days to get to the point of offering it for conference—is it fits into a pattern of doing things at the last minute. We are 2 days away from a recess, and this is brought up at this particular time. I have to ask why. Why not sometime during the last 100 days?

I also see a pattern of this maneuver fitting into the maneuvers that have been going on ever since, I believe, the spring break we had in the Senate. Ever since then—as reported in an article published in the newspaper we know as Politico a couple of months ago about a strategy between the White House reelection effort and things that go on in the Senate—we seem to have a crisis every week.

We came back from the spring break, and we had the Buffett tax rule. That was carried on for a week. Everybody knew that wasn't going to pass, but we wasted a whole week on the Buffett tax rule.

Then this issue was brought up before and passed about that time as part of a strategy of having a war on women come up as an issue. That ended in this legislation being passed through the

Senate but in a way where everybody knew it wasn't going to get through the House of Representatives. But it was a very convenient political issue.

Later on, we had the equal wages for women legislation that came up for about a week. Once again, everybody knew that wasn't going to go anywhere, but it was debated in this assembly, taking up time from a lot of important issues that ought to be dealt with—the economy and creating jobs. We spent a week on that.

Then we spent a week on taxing the rich, and everybody knew that wasn't going to go anywhere.

I think we spent a month on interest rates on student loans. Everybody knew there was a bipartisan solution to that, but nobody wanted to go there until the President had a whole month of going to university campuses to blame Republicans for not passing a bill that would keep interest rates low on student loans.

Then we spent last week on the DISCLOSE Act. Everybody knew that wasn't going to go anywhere.

So we have had a whole spring and summer in this body of accomplishing nothing because there is a strategy between the White House and the leadership of the Senate to help this President get reelected. And to keep away from issues the people of this country are concerned about, which are the economy and creating jobs and the fact that this White House and this Senate aren't going to do anything to work through those issues.

Here in the Senate it is an issue of politics and not an issue of process. I think the American people know the games being played, and they are sick and tired of it.

So I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 406, H.R. 4970, the House-passed Violence Against Women Reauthorization Act; provided further that all after the enacting clause be stricken, the text of the Senate-passed violence against women bill, S. 1925, with a modification that strikes sections 805 and 810 related to the immigration provisions; that the bill be read three times and passed, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate with a ratio agreed to by both leaders.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Is there objection?

The Senator from Washington.

Mrs. MURRAY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I listened carefully to the passion of the Senator from Iowa on behalf of the Republican majority and Speaker BOEHNER, and, frankly, I have to say it is offensive to say that the issue of violence against women is about politics. This is about women who are abused, women who are powerless to fight back, and

women being able to get the protection they need in this country that has provided protection for a very long time, to make sure women who are immigrants, women who live in a tribe, women who are gay and lesbian, women who are on college campuses get the protection this legislation supports. This is not about politics, this is about violence and this country standing up and saying we are going to protect them.

Make no mistake about it, what the Republicans are saying is that they want to move this bill to conference so they can strip out those provisions. Well, they have crossed a line—a line that in the history of this nonpolitical, bipartisan bill has been so deeply important to so many of us. They made this bill about politics just now. I find that offensive.

What they want is to take the Senate's bipartisan-passed bill, supported by both Republicans and Democrats here, send it to conference, and then pick it apart. They want to take it to conference so they can have a discussion about which women in this country deserve protection and which do not. They want to pit one group of women against another. This is not a game. It is not politics. And it certainly is not a game I am going to play. The new protections in this bill have been supported by Republicans and Democrats, groups across this country, and millions of Americans. They are not bartering chips, and it is not about politics.

The objection of the Senator on behalf of the Republicans raises issues that really are nothing more than a smokescreen. They do not want to be out in front saying they are willing to discriminate against certain women. They would rather hide behind these procedural objections. But I would remind all our colleagues that these procedural objections they are out here talking about—the politics—have been routinely overcome here in the Senate. Just as I said a few minutes ago, the transportation and jobs bill we passed a month ago, the blue slip issue was overcome. The FAA reauthorization last year funding our Nation's airports—overcome. The Food Safety Act—overcome. The Travel Promotion Act. All those had blue slip issues, and all of them were overcome, and there was a reason why—leadership and the will to do the right thing.

So let me make it abundantly clear. This is not about politics. It is about protecting women in this country. It is about making sure we do what is right for so many women who are looking to Congress to put in place the protections they deserve.

So the ball is in the Speaker's court now. He is going to have to talk to women across the country about why their protections are at risk because of politics. But I want everyone to be clear: We are not going to compromise on the issues that are so important to so many women and throw them under

the bus. That is not what we have fought for year after year on bipartisan legislation when we passed the Violence Against Women Act before. It is inclusive, it is bipartisan, and it is above ideology and partisan games. It is a bill that makes sure that no matter who you are or where you live or whom you love, you are protected in this great country in which we live.

Politics has no place in this. I would agree with the Senator from Iowa. Who is playing politics? We will leave it up for those who are watching. What I have asked is that the Senate do what we have done many times on many bills—move this bill to the House in a bipartisan way and pass it, and then politics won't matter, women will be covered.

I hope our Senate colleagues who have objected and the Speaker will reconsider. They can easily pass this bill today or next month, put it in place, and women in this country can say the leaders of this country are fighting for them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I just want to do one thing in terms of responding to Senator GRASSLEY, who is a friend. We enjoy a very good relationship on the Judiciary Committee, and we are just friends. But the idea that these new provisions in the VAWA bill are political just couldn't be further from the truth.

Let me talk about just one provision. It is about women on Indian reservations who get abused by a partner or a boyfriend or husband who isn't Native. And this happens all the time. This provision gave jurisdiction to the tribes to prosecute these individuals.

I am on the Indian Affairs Committee. I talk to tribal leaders all the time. I go to reservations all the time. My colleagues have no idea how grateful tribal leaders were and how important this was. One out of every three Indian women in this country is raped at some time in her life, and by far the largest majority of that is not by male Indians, it is by non-Indians. I can't think of anything that is less political. I just can't. And I ask my colleagues to think, to give a second of thought before they say stuff like that.

It really is, as Senator MURRAY said, offensive to her. I actually found it more sad. I find it sad.

THE MEDICARE DIABETES PREVENTION ACT OF  
2012

Mr. President, I came to the floor to talk about diabetes. And the Presiding Officer has been such a champion in talking about the money that can be saved in our health care system by the prevention of chronic disease.

The burden of chronic disease in our country is staggering. Chronic disease affects half of all American adults, and 7 out of 10 deaths each year are due to chronic disease. If current trends continue, by the year 2020, 52 percent of American adults will either have type 2

diabetes or elevated glucose levels, known as prediabetes, and diabetes can often lead to other chronic diseases, such as heart disease.

But as grim as these statistics are for our country, we also have some of the best health care researchers in the world. A few years ago, the Centers for Disease Control and Prevention, the CDC, conducted a pilot program called the Diabetes Prevention Program in two cities: St. Paul, MN, and Indianapolis, IN. This program, which was administered by the YMCA, is a program focusing on 16 weeks of nutritional training, eating healthy, and physical activity. It costs about \$300 per participant. The results of this pilot were extraordinary. Among adults with prediabetes—who are at the highest risk for developing type 2 diabetes—the program reduced chances that a participant would be diagnosed with diabetes by 58 percent. For adults over the age of 60, it reduced the likelihood of being diagnosed with type 2 diabetes by 71 percent.

That is why Senator LUGAR and I introduced legislation in 2009 to authorize the National Diabetes Prevention Program as a grant program through the CDC. This bill was passed as part of the health care law and is helping community-based organizations such as the YMCA administer the program across the country. No one can participate in this program if it is not available, which is why we needed the CDC to help expand the program and scale it up. Thanks to their work and to our provisions in the Affordable Care Act, the YMCA is now offering the Diabetes Prevention Program at more than 300 sites in 30 States.

But we also need health insurers to pay for the program to make sure everyone who needs it can get it. We know that when eligible adults participate in the program, it saves everyone money. In fact, the CEO of United Healthcare told me that they will cover this. Why? Because they save \$4 for every \$1 they invest in the program because their beneficiaries are healthier. And the Urban Institute estimated that implementing community programs such as the Diabetes Prevention Program could save \$191 billion nationally, with 75 percent of the savings—more than \$142 billion—going to Medicare and Medicaid Programs.

That is why the Federal Government should also invest in this cost-saving program for seniors. Nearly one-third of Medicare beneficiaries had diabetes in 2010. The Diabetes Prevention Program costs about \$300 per participant, as compared to more than \$6,000 a year in added health care costs for someone with type 2 diabetes. There is no question that by preventing diabetes, we can all save money while keeping our seniors healthier.

That is why I introduced legislation yesterday with my friends, Senators LUGAR, ROCKEFELLER, COLLINS, and SHAHEEN, to allow Medicare to cover the National Diabetes Prevention Program. We are doing this to help our

seniors enjoy their golden years while staying as healthy as possible. We are also doing it because it is the fiscally responsible thing to do. That is why the American Diabetes Association, the American Heart Association, the American Public Health Association, and the American Council on Aging have all endorsed this legislation. The National Association of Chronic Disease Directors, the National Association of State Long-Term Care Ombudsman Programs, and the YMCA of the USA have also endorsed the bill, as have 79 State and local organizations.

We know a really good way to prevent type 2 diabetes, and we know how to do it while saving the Federal Government billions of dollars. In fact, we know doing it will save the Federal Government billions of dollars.

Let's all here work together to prevent chronic disease in our country. I urge the Presiding Officer and my colleagues on both sides of the aisle to join me in guaranteeing that every senior has access to the Diabetes Prevention Program when they need it.

#### I-35W BRIDGE COLLAPSE

Mr. FRANKEN. Mr. President, I would like to take a moment to recognize that today is the fifth anniversary of a tragedy in my home State—the collapse of the I-35W bridge in Minneapolis. The collapse killed 13 people and injured 145 others. That collapse was a shock to Minnesotans and to the country. How could a bridge on our Interstate Highway System collapse? It underscores the importance, of course, of investing in our infrastructure. We did move quickly to replace the bridge—and it is a beautiful bridge—thanks to the leadership of Senator KLOBUCHAR and others.

I wish to say a few words about the response by the people and the first responders in Minneapolis and the metropolitan area. It was amazing. All the first responders had interoperable radio signals. People in Minneapolis ran to the bridge to help. People did heroic things. I am very proud of Minnesota. I am proud of Mayor Rybak and the response of other first responders in the metropolitan area. I am so proud to represent Minnesota.

My heart goes out to the families of those who perished that day and also to their loved ones and their friends and also to the survivors who are still recovering in so many different ways.

I urge my colleagues not to forget that day. We need to invest in our infrastructure to make sure this doesn't happen again.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank the Senator from Minnesota for his great remarks. He really does care about Minnesota. It is a nice State.

#### IRAN SANCTIONS

Mr. President, in a few hours the Iran sanctions bill is likely to pass both the House and the Senate. That is very good news because when it comes to

Iran, time's a wastin'. We need to ratchet up the pressure. And this is a powerful package that will paralyze the Iranian economy. It tightens the screws tighter, tighter, tighter, so that the Iranians will have no choice but to see their economy basically in desperate shape if they continue to pursue obtaining a nuclear weapon.

I thank my colleague, Chairman JOHNSON of the Banking Committee, who has put so much time and effort into the Iran sanctions bill and done such a great job.

I thank Ranking Member SHELBY. We go to the gym in the Senate at about the same time early in the morning, and we have talked about this bill repeatedly. I know how much he cares about it.

I thank my colleague from New Jersey, whom I have worked with on this issue long and hard and who has taken a great leadership role. Senator MENENDEZ has been relentless in pushing this bill, and the many of us who wish not to see a nuclear Iran owe Senator MENENDEZ a great deal of thanks.

I thank my friend Senator KIRK, who, even though he is not physically present in the Chamber, has made this his highest priority. We have worked together on this issue a long time, and we continue to wish him a speedy recovery.

I believe that when it comes to Iran, of course, we should never take the military option off the table, but I believe—as almost everyone in this Chamber believes, our President believes, Prime Minister Netanyahu believes, and most Israelis believe—that economic sanctions are the preferred way to choke Iran's nuclear ambitions. If we can achieve sanctions and Iran truly backs off, not with a feint but in reality, by meeting the three standards that both President Obama and Prime Minister Netanyahu have set—turning over any 20-percent enriched uranium, stop producing any 20-percent enriched uranium, and destroying the new facility at Qom—then we will have achieved great victory. So we have to move forward.

Earlier this year a group of bipartisan Senators—I was proud to be amongst them—led by Senator LIEBERMAN called on the European Union to exert more pressure on Iran by imposing an oil embargo on this rogue regime. Our European partners have done just that, and their oil boycott is working. That, too, is furthering to ratchet the pressure on Iran's nuclear program.

Last November the report on Iran's nuclear program by the IAEA was its most alarming yet. It proved beyond a shadow of a doubt that Iran is developing a nuclear weapon. And according to published reports, they could have at least one workable weapon in less than a year and another in 6 months after that. So we don't have much time, and ratcheting up the economic pressure is imperative. We cannot dawdle. We cannot sit around and say: Let's wait 6 months and see if the ex-

isting sanctions are working. We have to ratchet up that pressure so that Iran sees that it is not in its interests economically, politically, militarily even, to pursue the path they have thus far chosen. The IAEA report details a highly organized program dedicated to acquiring the skills necessary to produce and test a nuclear bomb. And earlier this year DNI Director Clapper told the Senate Intelligence Committee that Iran's leaders even seem prepared to attack U.S. interests overseas. So we know Iran is on the path to continued evil.

Just last week a suspected suicide bomber killed 6 people and wounded 30 aboard an Israeli tourist bus in a coastal town in Bulgaria. Israel believes—and I tend to agree with them—that Hezbollah and Iran are to blame. Many questions remain about the bomb, but many Western counterterrorist officials share the suspicions that Israel and I, frankly, both have.

By giving our government the capability to impose even more crippling sanctions on Iran should they continue with their nuclear weapons program, the House and the Senate are putting forth a tough, smart plan to ratchet it up and prevent, hopefully, God willing, the very real threat Iran poses to the United States and our allies, particularly Israel.

I am not going to go over what the bill does. That has been talked about. But I want to mention one other part of the bill before I sit down. I am really happy and grateful to Chairman JOHNSON that the measure before us will also include language adopted from the Syrian Human Rights Accountability Act. That is legislation I cointroduced this year with my friend and colleague from New York, Senator GILLIBRAND. The legislation would require the administration to identify violators of human rights in Syria, it would call for reform and protection of the prodemocracy demonstrators, and it would also block any financial aid and property transactions in the United States involving Syrian leaders involved in the crackdown on protesters.

If the Syrian Government, which in many respects operates as a client state for the rogue Iranian regime, will not willingly change its brutal approach and continues to violate the human rights of those seeking to exercise their voices, then we have to do everything we can to send the strongest message possible to that nation's leadership that this behavior is beyond the pale and not without consequences.

In conclusion, I believe my colleagues Chairman JOHNSON, ranking member SHELBY, Senator MENENDEZ, and Senator KIRK, have done an excellent job crafting a comprehensive plan to arm the administration with the tools it needs to put a stop to Iran's nuclear program. I urge my colleagues to unanimously support the Iran Threat Reduction and Syria Human Rights Act of 2012.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

#### SERVICEMEMBERS' PROTECTION ACT

Mr. BROWN of Ohio. Mr. President, I rise today because servicemembers who risk their lives protecting our Nation should not have to ever worry about predatory banking practices. They should not have to worry about whether they can vote absentee while serving abroad. While they are fighting our Nation's foes, they should not have to worry about fighting a foreclosure. When they are serving our country, they should not have to worry if their civilian job, if they are Guard or Reserve, will be available when they return.

Unfortunately, too many do worry about that. Last week I joined the Attorney General of the United States at Wright Patterson Air Force base near Dayton, OH, and spoke with men and women who serve our country, air men and air women. Also around that time I spoke to some Guard and Reserve, members of the Guard and Reserve who serve our country, about some of these fraudulent practices. When they are overseas, some of them do not know when they return if they are going to still have their job. They don't know what happens to them when they go back to school if they are enrolled in a university, private or public, 2-year or 4-year. They don't know what happens sometimes with their families in foreclosure or facing financial fraud.

We know that employment is critical for servicemembers and military families. So is housing. So is protecting their ability to cast a ballot. That is why I am sponsoring legislation, the Servicemembers' Protection Act, which is so vital to those men and women in uniform. It would make critical changes to the Servicemembers Civil Relief Act that could improve the quality of life for members of the Armed Forces.

My bill first would strengthen housing and lending rights for servicemembers. Right now, a bank cannot foreclose upon servicemembers while they are serving overseas until it gets a court order. Yet the bank has no real obligation to actually investigate whether a homeowner is on active duty overseas. My bill would require lenders who want to foreclose on a home to conduct a meaningful investigation into a borrower's military status. It would increase civil penalties for violating a servicemember's rights as a homeowner.

The bill also would strengthen enforcement for the Uniformed and Overseas Citizens Absentee Voting Act, to make sure servicemembers' votes are counted. It would create a nationwide standard for getting absentee ballots to overseas servicemembers in a timely fashion.

Finally, it would make sure servicemembers can return to their jobs after they have completed their military service with the seniority and pay rate they would have earned if they remained continuously employed by the civilian employer.

We know the Guard and Reserve who are called up leave their civilian jobs and too often come home to the uncertainty of, What happens when I arrive home? Members of the Guard should not have to worry about whether they will return home to the same job and the correct pay rate.

As citizens of a grateful Nation, we have a responsibility to do something—more than something to protect servicemembers' rights as they sacrifice to keep our country safe. That is why I urge my colleagues to stand up for our servicemembers. It is time we serve those who served us.

Mr. President, 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.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the proceedings under the quorum call be rescinded.

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

#### ALASKA INTERNS

Ms. MURKOWSKI. Mr. President, I am delighted to have a fine group of young Alaskans with me—not only here on the floor, but in my office for four weeks, and I thank them for their help in Washington and really for all of Alaska. They have been back here for a month and have done a great job. It is always a true delight to have good, high energy young people from back home to help me in the work we do here. I am so pleased they are with me.

#### TSUNAMI DEBRIS

Mr. President, I rise today to discuss an issue that people back home are talking about a lot. We are discussing the Federal Government's need to plan for the increasing level of marine debris that is hitting the Pacific coastline, whether it is out in Hawaii or all the way up north in Alaska. This debris is coming from the earthquake and tsunami that struck Japan last March. This is a subject of great discussion and debate for folks who are out fishing or walking our beaches.

We all know that tragic event claimed nearly 16,000 lives and destroyed community infrastructure, homes, and livelihoods. Our prayers continue for the ones we have lost and those who have lost their loved ones.

As horrifying as these natural disasters were, the Earth only shook anywhere from 3 to 5 minutes, and the tsunami rushed to the shore and then receded. But the devastation to property and coastlines continues as debris has moved from the shores of Japan over a

year and a half later and we begin to see the debris pile up on our shores over here.

The Japanese Government has estimated that about 5 million tons of debris were carried into the ocean. We have assumed that the majority of that either sank or will sink. There is no concrete idea of how much is still floating or when the bulk of it will reach our beaches, but in Alaska we know it has been arriving.

We saw the first evidence of it last winter, and it arrived ahead of the projected timelines. It is understandable that we were not able to anticipate exactly when the tsunami debris would start arriving, but now that we are starting to see it along the shoreline there is no doubt we need to respond.

Last January, in trying to get ahead of the curve, if you will, I held a roundtable in Anchorage to find out what our State and Federal agencies were doing to prepare for the debris we knew would be coming to our shores, how the interagency work was being coordinated, and how individuals could report sightings and navigational issues.

I think I have mentioned on this floor that I have two sons out on a fishing vessel in the Gulf of Alaska. As they cross the gulf, I wonder if they will encounter debris from the tsunami?

We saw at one point in time a Japanese vessel that was literally a ghost ship, a relic from that tsunami. The Coast Guard took that vessel out of the navigation channels. Alaskans and people who live on the coast are very aware when there is stuff out in the water uncharted and unknown, and we want to understand and know a little bit more.

This past June, I joined the U.S. Coast Guard to see for myself what was washing up on some of Alaska's remote shorelines and our beaches. We flew out of Cordova, AK. We went to Kayak Island. Kayak sticks out from the coastline at an angle that allows it to collect an incredible amount of marine debris on just an average year. So the reason to go to Kayak was to see what might be there other than the typical marine debris, unusual things like nets, ropes, and buoys. We saw real evidence of what is coming our way from the tsunami. We saw colored buoys. We saw large Styrofoam blocks. There was a large container that had washed up very recently.

We have a picture from NOAA that shows some of what we saw washed up there on Kayak Island. These are all the plastic buoys. The black ones, we were told, are what we see more of coming out of Japan.

Now, you may wonder, have we been clearly able to identify whether these items came from Japan or if this was the usual marine debris? NOAA is working to sort all of that out, but there are signs that give us somewhat of an idea of whether what we saw out there on Kayak Island was typical marine debris or not.

Many saw pictures of this huge dock that recently arrived on the coastline in Oregon. Just look at the size here and think: this concrete dock had flotation on either end and traveled all the way across the Pacific literally in one huge slab up onto the Oregon beach. I think when folks looked at that picture, their word was, Wow.

Again, for those who are navigators and fishermen, if they run across something like this in the water it is real evidence of why we need to be concerned.

This next photo is from somewhere in the Pacific. This shows the objects that are creating, again, a hazard to navigation. These same materials are going to end up somewhere on a shoreline, whether it is on our beaches or in our ports. Think about the impact this may have on sensitive habitats, making them unusable, possibly deadly for certain marine animals, such as shore birds and other species that may rely on them.

I think what is important to recognize from these three pictures I have just shown is that we are seeing now the debris that is floating on top or at least partly on top of the water. We are seeing it coming to U.S. shorelines earlier than anticipated because in addition to being carried by the currents from the ocean, this debris is being moved along by the wind.

What we are seeing in Alaska primarily are those buoys that sit up clear out of the water. You can also see fishing boats, building materials, and roofs in this photograph. Again, this is what we can see because it is above the water.

So one of the real questions we need to ask is, What is below the water? What is just below the surface that we can't see?

A couple of weeks ago, I met with some representatives from the Yakutat Tlingit Tribe from Yakutat, AK. Yakutat is in the northern part of the Alaska panhandle, on the eastern side of the Gulf of Alaska. It is a very remote community. It is only accessible by air or by boat. The closest community is hundreds of miles away and, Yakutat is surrounded by National Park Service and Forest Service lands.

So this community—the tribe, city, borough—is meeting weekly to assess the debris that is coming up on their beaches, and they are trying to put together a response. They have done some cleanup along 15 miles of area beaches.

One beautiful beach is called Cannon Beach. It has black sand. It is absolutely gorgeous. I visited it in March, and now we are seeing the Styrofoam, housing foam, and buoys coming up on it and the other beaches near Yakutat. The community estimates that they have about 600 pounds of marine debris per mile. The borough has 1,074 miles of coastline, so this small village community is looking at the possibility of 3,000 tons of debris.

This next picture is actually from Yakutat. This details another problem

that our coastal communities are facing. What do we do with this marine debris? Our landfills, particularly in southeastern Alaska, are maxed out or close to being maxed out. This landfill space that is already filling up could very quickly be overwhelmed by tsunami debris. And not only are my residents working to clean up beaches with limited landfills, often they are in very rugged and very remote locations, many with no road to access. Sometimes they can't land a vessel or a boat on the shoreline because it is just too dangerous. So how do we access this debris? That is a challenge.

It is also costly, and we are faced with the question of what do we do with the debris we have collected?

Yakutat is exploring some pretty creative solutions and alternative disposal solutions. Yakutat is one of those communities that has extremely high energy costs. If my memory serves me, I believe they pay in excess of 50 cents a kilowatt hour for their energy. So when they are dealing with challenges and problems, they try to find solutions that help with their high cost of energy.

What Yakutat is looking at now is whether there is the potential for any waste-to-energy technologies that could deal with two problems: clean up debris and support long-term efforts to deal with the high cost of energy. It is kind of a two-for-one. They are trying to figure out how they can turn this problem into an energy source, and in this way they can support long-term community marine debris cleanup efforts. This would be a creative solution for this small remote community, largely on their own and facing truckloads of debris.

Now the State of Alaska has engaged in tsunami debris coordination, and I am told the Alaskan region representatives of various Federal agencies are as well, but headquarters of agencies across the Federal Government really need to be part of the plan and engage creatively to address this accumulating debris.

I don't have my typical Alaska map here that I usually use when I speak, but my State has an incredible coastline—more coastline than the rest of the country put together—and we depend on our marine sources for livelihood and recreation. We value a healthy coastline to support a resilient marine environment. Our fisheries, our tourism, and our coastal communities are so dependent on a strong and sustainable region.

So, think about this from the tourism perspective. When somebody is paying thousands of dollars to come up to Alaska to visit remote, wild areas, they are certainly going to be disappointed if they are greeted by a beach full of Styrofoam or pass by the many debris fields that are accumulating.

Communities up and down the coastline need assurance that the headquarters of various agencies are going

to be part of the cleanup plan. In the aftermath of Hurricane Katrina, FEMA compiled a document denoting the debris removal authorities of Federal agencies. That document outlined that the Departments of Agriculture, Commerce, Defense, Homeland Security, and Transportation all had a role to play in debris removal.

So for this reason—and using this federal memorandum as an example—I have asked the White House to establish and lead an interagency task force to plan for tsunami debris. We also need to engage the relevant States, tribes, local governments, and international partners by inviting them to participate in this task force. We all need to work together. We cannot leave a little community like Yakutat and say: Clean up your section of the coastline.

I know private and government Japanese representatives have expressed interest in helping with the debris problem. The ability for Japan to offer experience and technology with waste-to-energy devices could provide a great opportunity for the U.S., Japan and public partnerships to come together and address the debris.

There are many reasons we need to act now. It is a difficult time of year for many of us here in Washington, DC, to think about winter storms. We are enjoying some pretty warm weather here. But we need to recognize and think about what winter weather in Alaska will mean for accumulating debris. We have a lot of areas being impacted by tsunami debris that have already had huge tide swings. If we add that to a winter storm in areas with beaches, some of the debris we see will be buried deep by the sand, and will only be uncovered when snow melts. However even during the spring, accessing the coastline can be challenging due to breakup conditions. We have extreme tides and, of course, the weather will also move the debris up into the tree line, making access and removal even more difficult.

This last picture will give my colleagues some indication of what I am talking about when we think about the Alaska coastline. This is in a part of the State called Montague Island. With good high tides and the weather we get, downed trees are part of the ocean accumulation on the shore. You can see tucked among the trees, kind of sprinkled like confetti, some of the Styrofoam that has washed up. Again, this is marine debris we are seeing. Think about how difficult it will be to access some of this after winter storms.

Where debris lands on rough and rocky shorelines, wave action is expected to break it up. We know that happens, and I am concerned about our marine life, birds and animals consuming smaller plastic particles that have been broken down by this wave action. A piece of Styrofoam that is easy to pick up today because it is reasonably good-sized is going to be much

more difficult to clean up when it has been broken down by wave action. So, again, all of this argues for prompt action.

Maybe the best we can do for now is pick up the debris and store it somewhere. But as we saw looking at the Yakutat picture, storing it in a landfill in most of these communities is probably not going to be feasible. Bailing technology could be available to Alaska communities for about \$10,000, and these machines would at least support the voluntary cleanup efforts and provide a means to store the debris rather than force strained landfills to absorb the incoming debris. I throw this out because I think it is important that we get creative about this. We need to be exploring all available technologies to support the most efficient means to handle this tsunami debris and other marine debris for the long run.

Every year I attend an annual alternative energy fair. It is held in the interior part of the State at Chena Hot Springs. We always learn something good and new at this energy fair. Last year, when I was there, I saw a device that is actually in production. It is on-the-shelf technology. It may help turn much of the debris that is hitting our coastline into fuel. The device—I called it a gizmo but I know there is a much more technical term for it—processes plastics into fuel with the capacity to produce as much as 2,400 gallons per day. With fuel at over \$6 a gallon in Yakutat, people are looking at this and saying, We can actually take some of the waste, the garbage, the debris, the plastic, and turn that into fuel so we don't have to pay 6 bucks a gallon to fill up a four-wheeler, truck, or boat.

Given the tight budgets across the country, again, I think we need to be creative. We need to identify and deploy all available resources and share information. We need to leverage local knowledge and our coastal residents' proximity to the debris, as well as their vested interest in the cleanup efforts.

Our Federal agencies have regional staff and they have facility resources. Many run programs that are consistent with the objectives of tsunami debris response and mitigation. For those who would suggest, Well, if it has come up on your shore, it is your responsibility; there is no Federal role here; it is up to the States to figure this out, I would remind them that in my State, much of our land is owned by the Federal Government. This picture here is of Montague Island. Montague Island is entirely within the Chugach National Forest. And, in fact, over 60 percent of my State is owned by the Federal Government, so clearly the Federal Government has a role to play in cleaning up the debris.

We also can't forget about the private interests in cleanup. Many industries and private citizens are dependent on our navigable waterways and healthy ecosystems. We need good communication, leadership, and a plan

to guide an interagency and public-private approach to solve this challenge during what we all acknowledge are difficult fiscal times. I commend the NOAA marine debris program for their coordination and response to this work, but the fact is they are a small and an overtasked program. They need the help of their Federal partners to address this as a national priority.

I encourage my colleagues to join me in recognizing that marine debris is a national problem as well as a priority, and a comprehensive response to tsunami debris that we are seeing on our shoreline in Alaska and other Pacific States, in addition to Hawaii, is past due.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### CYBER SECURITY

Mr. GRASSLEY. Mr. President, over the last few days we have been lectured numerous times that we must protect cyber critical infrastructure; otherwise, our country is in jeopardy. Everybody agrees with that statement. Enhancing cyber security is important to our national security. I support efforts to strengthen our Nation against critical cyber attacks.

However, I take issue with those who have come to the floor and argued that those who don't support this bill are against strengthening our Nation's cyber security. Disagreements over how to address policy matters shouldn't evolve into accusations about a Member's willingness to tackle tough issues. The debate over cyber security legislation has turned from a substantive analysis of the merits into a political blame game as to which side supports defending our Nation more. If we want to tackle big issues such as cyber security, we need to rise above disagreements and work in a constructive manner. Disagreements over policy should be openly and freely debated.

Unfortunately, this isn't how the debate on cyber security proceeded. Instead, before a real debate began, the majority leader cut that debate off. As the discussion of cyber security began on the floor this week, Senators stated that a failure to grant broad new powers to the Federal Government will lead to a cyber 9/11. I agree that if we fail to take action on cyber security, there could be a national security consequence. However, I don't believe giving the Federal Government more regulatory authority over business and industry, as supporters of this bill propose, is the answer to strengthening cyber security.

Chief among my concerns with the pending bill is the role played by the Department of Homeland Security. These concerns stem from oversight that I have conducted on the implementation of a law called the Chemical Facility Antiterrorism Standards Program. That acronym would be CFATS. CFATS was the Department's first

major foray into regulation of the chemical sector.

The Department of Homeland Security spent nearly \$½ billion on that program. Now, 5 years later, they have just begun to approve site security plans for the more than 4,000 facilities designated under the rule.

I have continued to conduct oversight on this matter. Despite assurances from the Department of Homeland Security that they fixed all the problems with CFATS, I keep discovering more problems. So now I am baffled why we would take an agency that has proven problems with overseeing a critical infrastructure and give them chief responsibility for our country's cyber security.

Additionally, I am concerned with provisions that restrict the way information is shared. The restrictions imposed under title VII of the bill are a step backward from other information-sharing proposals. This includes the bill I have cosponsored, the SECURE IT bill. The bill before us places the Department of Homeland Security in the role of gatekeeper of cyber threat information. The bill calls for the Department of Homeland Security to share the information in "as close to real time as possible" with other agencies. However, this surely will create a bottleneck for information coming into the government.

Further, title VII includes restrictions on what types of information can be shared, limiting the use of it for criminal prosecution, except those that cause imminent harm.

This is exactly the type of restriction on information sharing that the 9/11 Commission warned us about. In fact, the 9/11 Commission said, "the [wall] resulted in far less information sharing and coordination." The 9/11 Commission further added, "the removal of the wall that existed before 9/11 between intelligence and law enforcement has opened up new opportunities for cooperative action."

Why would we even consider legislation that could rebuild these walls that threaten our national security? How much of a real debate have we had on those issues I have raised? The lack of a real process in the Senate on this very bill amplifies my substantive concerns.

In fact, this is eerily reminiscent of the debate surrounding the health care reform bill. During that time, then-Speaker of the House PELOSI declared, "We have to pass the bill so that you can find out what is in it." Well, we all know how well that worked out. Years of litigation later, the public is still learning what surprises the majority and President Obama had in store for the Nation's health care system.

Now here we are, once again, in the last week before our August summer break, tackling a serious problem that hasn't been given full process.

I do not want cyber security legislation to become another health care reform bill. If we are serious about our



Nation's security, then shouldn't we treat it as serious as it really is? We all agree how serious it is.

We are told that the Senate has been working on cyber security for 3 to 5 years. However, we have not been working on this bill before us for that long. The bill before us was introduced 13 days ago, and it was only pending on the floor for 4 days before the motion for cloture was filed. It did not go through the normal committee process. It was not debated or amended. Instead, it was brought straight to the floor, and we are being forced to consider it under a very rushed schedule.

Talking about the danger of cyber attacks for years is not the same as discussing the impact of the actual text of the bill which could become law. The words on the 212 pages of the bill are what must be analyzed, and analyzed in detail.

In fact, no one, except a handful of Senators, actually knows what the bill says or might say. And, of course, that is a process that debate in the U.S. Senate accomplishes or at least tries to accomplish.

We need full process and, unfortunately, that has not happened, and it does not look as if it will happen. Why won't it happen? Because the majority leader has limited debate. This week we were told that a group of Senators and their staff were working on a compromise.

Again, that is something all of us as a body do not know much about. We need an open debate in order to process this, as opposed to huddled, backroom meetings.

I do not think this is the way we are supposed to legislate. The people who elected us expect more. They expect transparency because they know when you get transparency, you have accountability.

How many Senators are prepared to vote on something this important without knowing its impact because we have not followed regular order? Are we to once again pass a bill so that the American public can then, at that time, find out what is in it a la Speaker PELOSI's statement on health care reform?

These are questions that all Senators should consider. And our citizens should know in advance what we are actually considering.

Yesterday, we heard claims that the amendments offered by Republicans were part of some obstructionist tactic. Why isn't the same statement made about the 77 or so amendments filed by Democrats? Somehow, are they acceptable and not obstructionist?

I had three amendments that addressed specific provisions in the bill, and I wanted to have a debate on them.

For example, I have an amendment to strike the provision in the bill that creates a cause of action against the Federal Government. What does that cause of action do? That provision waives sovereign immunity, provides for automatic damages, and provides for an award of attorney's fees.

This provision is, obviously, a gift to the trial lawyers lobby, which American taxpayers should not have to pay for. And I do not think class action lawsuits against the government will help with cyber security.

Another amendment of mine would have removed industry-specific carve-outs from the bill. This is another example of how backroom deal making takes place so as to get support and build support for a bill. We saw this happen with the health care reform bill. You know the famous "Cornhusker Kickback" that was agreed to in order to pass ObamaCare, and this process reminds me of that.

Here, to get support from companies in the information technology industry, the bill clearly states those companies cannot be identified as critical cyber infrastructure. So to build support for this bill—but without people knowing what is in the bill—the authors carved out these companies from having to comply with the bill.

For example, under this carve-out, say an information technology company builds a router that has a flaw that is exploited by hackers. That router is purchased by every sector of the critical infrastructure, including power, water, and probably a lot of others that I ought to be able to name.

If that router flaw is exploited, and if that is attacked, the companies that bought the router are held responsible. However, the company that made the faulty router is not.

It is obvious how absurd this is. It is obvious how much of a major giveaway to a key industry it is, just to give the appearance of private sector support. This is not how we should handle cyber security, and I have an amendment to strike this provision. We should openly debate this issue and discuss whether this is the right course of action to give a carve-out to a specific segment of industry.

Again, the carve-out was a deal cut with one purpose: to limit opposition to the bill. Well, that was not good policy in 2009 on the "Cornhusker Kickback" in the health care reform debate, and we should learn from that lesson that it is, obviously, not good policy in 2012.

I also know that Senator RON JOHNSON of Wisconsin had an amendment that the Congressional Budget Office issued a score on the cost of the bill before it could take effect.

Why were the supporters of the bill opposed to doing that? Do they believe they have a right to spend millions or billions of taxpayers' dollars at will without making the amount public? Are the supporters of the bill really prepared to vote for this bill without revealing how much it will cost?

But I will not get a chance to debate my amendments or Senator JOHNSON's amendment before the cloture vote because that is how the majority leader runs the U.S. Senate.

There are serious questions about this bill. It needs to be amended. We

need to discuss changes. Unfortunately, it does not look as though that is going to happen.

I know some will, again, say that this has been a long process. The only thing true about that statement is that the issue and problem has been discussed for a long time—but not discussed for a long time on this bill.

If we are serious about addressing this problem, then let's deal with it appropriately. Rushing something through that will impact the country in such a massive way is not the way the most deliberative body in the world, the U.S. Senate, should do its business. It is not good for the country, and it is, obviously, not good for the reputation of the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I understand my distinguished colleague from Oklahoma has asked consent to speak at 6:30 p.m. I will take about 10 or 15 minutes, which would put us about 5 minutes past that time. So I ask unanimous consent to speak for about 15 minutes, if that is acceptable to the Senator.

Mr. INHOFE. That is perfectly all right. And I ask unanimous consent that at the conclusion of the remarks of my friend from New Jersey I be recognized for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. I thank the Presiding Officer and I thank my colleague for his courtesy.

#### DEATH OF OSWALDO PAYA

Mr. President, while we are focused on issues here at home—and certainly we should be—there are incidents taking place around the world, and those of us who care about freedom and democracy and human rights, those of us like myself who sit on the Senate Foreign Relations Committee, also have our focus on what is happening in other places in the world.

I come to the floor to talk about the violence and repression that continues in the country of Cuba—this time in a dramatic and brazen attempt to exercise power through fear and intimidation over those who want nothing more than to see the day when the people of Cuba are free—and against members of the international community.

Once again, I am forced to come to the floor to put a spotlight on what is happening inside of Cuba and all those who put their lives on the line for freedom and human rights around the world.

The information we are receiving from both public reports and other information from Cuba concerning the circumstances surrounding the death of Oswaldo Paya—the island's most prominent and respected human rights advocate—is disturbing. It underscores the continued brutality and repression

of the Castro regime, and it demands a response from the international community, as well as from ourselves as part of that community.

The facts as we know them are that 50 prodemocracy activists were arrested and detained at the funeral—at the funeral—of Oswaldo Paya. At a funeral—they were not demonstrating, they were not marching or carrying signs, they were not engaged in acts of civil disobedience of any kind. They were not violating any laws. They were attending a funeral.

Hundreds gathered peacefully. Family, friends, and those who want nothing more than a free and democratic Cuba were at a funeral mourning the death of their hero, Oswaldo Paya.

But the arrest and detention of 50 dissidents who were mourning the loss of a friend and loved one is not the whole story of how far this regime will go.

The circumstances surrounding Oswaldo Paya's death leave any reasonable person to wonder what may have really happened on that road in Cuba that ended in the tragic automobile accident that took the life of Oswaldo Paya.

Paya's daughter Rosa Maria Paya immediately challenged the regime's version of events, stating that the family had received information from the survivors that their car was repeatedly rammed—rammed—by another vehicle.

She said:

So we think it's not an accident. They wanted to do harm and then ended up killing my father.

The family also said that Oswaldo Paya was targeted in a similar incident 2 weeks earlier in Havana. The same thing: an effort as they were driving to ram them off the road. In retrospect, the family now sees that incident as a warning from the regime.

What we know is the car, driven by a politician from Spain, Angel Carromero, a citizen of Spain, and Aron Modig, an activist in Sweden, was involved in the fatal automobile accident that killed Paya and his Cuban colleague Harold Cepero.

Of course, we have no proof of that. But we do know Carromero and Modig survived the accident, and they obviously know exactly what happened that day. These are two individuals—one is a Spanish citizen, the other one is a Swedish citizen—who were involved in helping Paya promote, from an international perspective, the views of his civil society movement toward peaceful change in democracy and human rights.

But instead of getting the two survivors' real story, in a demonstration of the twisted nature of the Castro regime, the Cuban Ministry of Interior detained, without consular access, the two foreigners who survived the crash and then paraded Modig, the Swede, before a Ministry of Interior press conference, where he was clearly forced to apologize for working with Paya and "illegally aiding the Cuban opposition."

The driver of the car, Carromero, the Spanish citizen, was less lucky than his Swedish colleague. It appears he will not be allowed to speak freely for years to come, courtesy of the Castro regime. They have formally charged him with vehicular manslaughter in the crash.

Carromero, like Modig, was forced to offer a mea culpa, which was made available in a video presentation hosted by Castro's nefarious Ministry of the Interior.

The regime's logic has to boggle the mind of any reasonable person who cares about the rule of law.

It is also my understanding, according to reports from Cuba, that—in a move typical of the Castro regime—Spanish diplomats were prohibited from seeing or meeting with Carromero until yesterday.

Meanwhile, the grieving widow of Oswaldo Paya has expressed outrage and has rejected Castro's official report regarding the death of her husband and the circumstances surrounding the accident which has now blamed the accident on the actions of Angel Carromero, who was driving the car.

Paya's widow has said: "Until I'm able to speak with Angel or with Aron, the last two people who saw my husband alive, have access to the expert reports, and have the advice of people independent of the Cuban government, I can have no idea what really happened that day."

I cannot be certain that the regime killed Oswaldo Paya, but the circumstances of his death are highly suspicious. There is no question that the regime had no motive to kill Oswaldo Paya. Oswaldo Paya was most—one of the most prominent opponents of the Castro dictatorship, a Catholic activist who funded the Christian Liberation Movement in 1988.

He is best known for the Varela Project, a petition drive he launched in 2002 that called for free elections and other rights. That drive led the Cuban Government to adopt a constitutional amendment making the Communist system in Cuba irrevocable. It followed that with the 2003 Black Spring, which arrested 75 of the most prominent Cuban activists in that year.

Paya had become the most known, most visible face of Cuba's peaceful opposition movement. The European Parliament awarded him the Sakharov Prize for Freedom of Thought in 2002. That year, he was also nominated for a Nobel Peace Prize by hundreds of parliamentarians in a campaign led by his friend Vaclav Havel, the Czech Republic President.

Paya was determined that Cuba and Cubans should enjoy the benefits of freedom and democracy and he committed his life to that cause and he may very well have lost his life to that cause. We cannot continue to turn our backs on those inside Cuba struggling in peaceful ways to promote democracy and human rights. We cannot allow the violence and the repression, the brutal

detentions to continue without consequence. We cannot allow innocent members of the international community to be brutalized and victimized by the Castro brothers so they can hide the truth without the international community standing together and holding them accountable for their repressive and illegal actions.

Will the Castro regime stop at nothing, nothing to repress the rights of its people? Can we turn our backs on the rule of law on the Cuban people, on the facts of this case, on Mr. Carromero or can we once again have that wink and nod and say: Oh, well, you know, it has been over 50 years; things are changing for the better in Cuba, and we should let bygones be bygones, as people languish in jail, as people die at the hands of the regime, as we see the hunger strikers who give up their lives because of the brutality they are facing, to try to rivet the world's attention in this regard.

Some say we should permit Castro's hooligans to parade across our Nation, which we seem to give visas to, spewing lies while American Alan Gross sits in a prison simply because he brought some communications equipment for the Jewish community in Havana to be able to collaborate and to inform each other. That was his crime. He has now been in prison, a U.S. citizen, for 2 years, languishing in Castro's jails, not to mention thousands of Cuban political prisoners who suffer in Cuban prisons.

As I have said on this floor over and over, to me, the silence is so deafening from so many of our colleagues. They may have a different view than I do about how we promote democracy, but I do not hear them speak out about these human rights abuses, about the deaths in Castro's prisons, about those who can get knocked off the side of a road and killed. The silence in that respect is deafening.

So there are some of us who are committed to making sure that silence is broken. Today, I am asking my colleagues to join me in sending a letter to Ban Ki-moon, the Secretary General of the United Nations, demanding that the United Nations and the Human Rights Council immediately undertake a full and thorough investigation of the circumstances surrounding Oswaldo Paya's tragic death and the detention of Angel Carromero. We must demand the truth about these tragic events that took the life of Cuba's most devoted human rights advocate.

I hope our colleagues will join us in that respect. We have supported democracy movements around the world. They have often made a big difference, from Vaclav Havel, Lech Walesa, Soviet Jewry, Alexander Solzhenitsyn, and so many others. When we side on behalf of those struggling against repressive regimes for democracy and human rights, it makes a difference. It can make a difference in this regard as well.

I am hoping our colleagues will join us in helping break the silence, on behalf of the memory of Oswaldo Paya and on behalf of all those who lose their lives every day or their liberty simply because they peacefully choose to try to change the nature of the country in which they live. It is something America should be a beacon of light for, something I hope we can shine very brightly, and in doing so, create a protective element to those who are peacefully trying to create change inside Cuba. We should do no less.

ALAN GROSS

Ms. MIKULSKI. Mr. President, 32 months almost 3 full years. That is how long Maryland native Alan Gross has been held by Cuba as a political prisoner.

Alan Gross went to Cuba in 2009 on an USAID contract to help install wireless Internet. The Cuban government responded by putting him in jail. They declared him a spy, ran a sham trial and sentenced him to 15 years in prison.

Alan Gross is from Potomac, MD, and like me, studied social work at the University of Maryland. I have met his wife on numerous occasions. Her focus and strength are truly inspiring. While her husband has been held in a Cuban prison, she has held down the fort and held the pressure on the Cuban government for its poor treatment of her husband.

And Alan Gross has held strong in the face of his unfair imprisonment. To maintain his physical and mental strength, he would pace his room and do pull ups. Unfortunately, however his health has declined. He has lost more than 100 pounds, is having difficulty walking, and—most worryingly—has had a mass develop behind his shoulder. Rather than act humanely, the Cuban government has been reluctant to share information on Mr. Gross's medical condition.

At home, Mr. Gross's mother is facing inoperable lung cancer and the family is concerned he will not have a chance to say goodbye. That is why the Gross family petitioned the Cuban government to allow him to come home for 2 weeks to see his mother for her 90th birthday.

This request was made following a U.S. Federal judge's humane decision to allow a Cuban intelligence agent on probation in the United States to return home to see his ailing brother. Their plea was met with silence.

Cuba has held Alan Gross as a political hostage, trying to leverage their possession of an American citizen for concessions from the United States. While Cuba might oppose U.S. policy, it has a responsibility to behave humanely to its people.

I want to thank Senator Dodd for his continued focus on the detention of Alan Gross. The Senator has been one trying to improve relations between the United States and Cuba, but has put those efforts on hold because of

their unwillingness to release Mr. Gross. I appreciate his decision and his unrelenting work to see Mr. Gross freed.

And most importantly, I want to send my thoughts and prayers to Mr. Gross, his wife Judy and their family. I think about you every day and am hopeful your family will be reunited soon. The pain you face is unfair, but the strength you show is inspiring. I promise we will continue to work to bring Alan back to Maryland.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Oklahoma.

GLOBAL WARMING

Mr. INHOFE. Mr. President, when we came back to session this week, I was pleased to see a very good friend of mine on the floor, of a completely different philosophy from mine and a different background and a different State, talking about—being somewhat critical of my position on global warming, which everybody knows I have been involved in for some 12 years since the Kyoto treaty, which was never before us.

Nonetheless, I appreciated the fact that we had a chance to resurrect that issue because, to my knowledge, nobody has uttered the term "global warming" since 2009. It has been completely refuted in most areas. But I was pleased to hear my good friend from Vermont talking about it because he and I have a very honest relationship with each other but a total disagreement. We are able to go over those things.

Then again today two things happened. First of all, we had the senior Senator from Massachusetts come down to the floor and was somewhat quite critical of me and anyone who is a skeptic. I think it is important to realize that to understand—so you understand, when we are talking, what we are referring to.

Those people who believe the world is coming to an end because of global warming and that is all due to man-made anthropogenic gases, we call those people alarmists. Those people such as myself who have looked at it very carefully and have come to the conclusion that is not happening and the fact or the assertion that global warming is occurring today and it is occurring because of the release of CO<sub>2</sub> and anthropogenic gases, methane, and such as that, it is a hoax, which I said way back in 2003. This became quite a charge to a lot of people, a hoax that—the fact that all of this is happening is due to manmade gases. I believe it is the greatest hoax ever perpetrated on the American people.

As a result of that, a lot of people are trying to do things to this country that are detrimental. By the way, we also had this morning—it was enjoyable. This is the first time since 2009 that the Environment and Public Works Committee has had a hearing on global warming, on the science or lack of science behind global warming.

I was delighted to see all these things resurrected. I know it is not proper to talk about your own books on the floor, and I do not do it, except I have to do it because it was mentioned by some of my adversaries, my book which was called "The Greatest Hoax." Things were taken out of this book so I had to defend them. Let me just mention, if I can in this fairly short period of time that I have, I think it is only 30 minutes, some of the things that were stated, first of all, on the floor by the senior Senator from Massachusetts and then make some comments about the hearing this morning.

In fact, I am glad it is coming to the surface again. First of all, I was referred to as a "skeptic." I mentioned just now that skeptics are those who do not believe what I referred to as the hoax. He referred to us as "flat earthers." I learned a long time ago that if they do not have logic on their side, they do not have the science on their side, they respond with name calling. I have been called a lot of names. Let me just name a few. This comes right out of the book and some of the things that were said this morning. The "noisiest climate skeptic," "the Senate's resident denier bunny," "traitor," "dumb," "crazy man," "science abuser," "Holocaust denier," "villain of the month," "hate filled," "war mongering," "Neanderthal," "Genghis Khan". It goes on and on. I will submit this for the RECORD.

But quite often we hear these things, it is only because there is not logic or science on their side. So they do name calling, which is fine. To me, that gets attention, and it needs to have the attention. The second thing, one of the other things that came out this morning, the statement was made by the senior Senator from Massachusetts, and I am quoting now, I believe: There are 6,000 peer-reviewed studies that say that no one peer-reviewed study that proves it is not happening.

There is not one, not one peer-reviewed study. A peer-reviewed study is a study that is published and then the peers review it. I think that is a process that is necessary. Consequently, that statement was made. That statement just flat is not right. In fact, let me go ahead and talk about some of these studies. If we look at the Harvard-Smithsonian study, that was a study which examined the results of more than 240 peer-reviewed papers published by thousands of researchers over the past four decades.

The study covers a multitude of geophysical and biological climate indicators. They came to the conclusion—this is a Harvard-Smithsonian peer-reviewed study. They came to the conclusion that climate change is not real, that the science is not accurate.

Dr. Fred Seitz. Dr. Fred Seitz is a former president of the National Academy of Science. He said: "There is no convincing scientific evidence that human release of carbon dioxide, methane or other greenhouse gasses is causing or will in the foreseeable future

cause catastrophic heating of the earth's atmosphere and disruption of the earth's climate."

I would like to pause at this moment, because I see the majority leader on the floor of the Senate, and inquire if they care to have some leadership time. I would be very glad to yield to them that time. Apparently, that is not the case.

Thirdly, this is something that happened very recently. One of the universities, George Mason University, surveyed 430 weathercasters and found that only 19 percent of the weathercasters felt catastrophic global warming is taking place and is a result of human activity.

That is quite a change from what it used to be. That means 81 percent of those weathercasters that we all see every night are saying that is not true.

Dr. Robert Laughlin, a Nobel Prize-winning Stanford University physicist, said:

Please remain calm. The earth will heal itself. Climate is beyond our power to control. The earth doesn't care about government and legislation. Climate change is a matter of geologic time, something the earth does on its own without asking anyone's permission or explaining itself.

I think the statement is certainly not an accurate statement that was made this morning. By the way, in terms of the climate change, I would like to suggest there is a Web site called Climate Depot by Marc Morano. In this, we can find multitudes of peer-reviewed studies. There is not time to go over them all, but we certainly can find them on that particular Web site.

Another statement made by the senior Senator from Massachusetts this morning was when they were talking about a former climate skeptic, Richard Muller, M-u-l-l-e-r. He changed his mind through extensive research, implying he at one time was a skeptic and he is now an alarmist. Let me tell you about Richard Muller. In 2008 Richard Muller said that the bottom line is that there is a consensus. The Intergovernmental Panel on Climate Change—we will talk about that later. The President needs to know what the IPCC says. Second, they say that most of the warming of the last 50 years is probably due to humans. You need to know that this is from carbon dioxide and that you need to know the understanding of the technology.

Mr. President, I was talking about and responding to the speech made on the floor this morning by the senior Senator from Massachusetts.

I think the main thing I got across at that time was the assertion that was made that there are 6,000 peer-reviewed studies that say not one peer-reviewed study proves that global warming is not happening and that anthropogenic gases would be the cause of it. I know it wasn't the intention of the senior Senator from Massachusetts to say something that was factually wrong, but I did read several peer-reviewed studies and referred to the Web site

climatedepot.com, if anyone is interested in that.

Second is the fact that the Senator from Massachusetts—and then again in the hearing this morning, Richard Muller was referred to several times as being a former skeptic who converted over to an alarmist. I suggested—and I read something to show that, in my opinion, he never was a skeptic. I would like to make some comments about Richard Muller.

If you go to my Web site, you will find about 1,000 scientists who have come around and said: No, this assertion that we are having catastrophic global warming due to anthropogenic, manmade gases is not correct. Muller is not on that list. However, when they say that he is the one and made such a big issue, I will quote a couple people about their expressing themselves on the credibility of Richard Muller.

Professor Judith Curry, a climatologist at the Georgia Institute of Technology, stated "way over-simplistic and not at all convincing, in my opinion." She was talking about the comments by Muller. She also said, "I don't see that their paper adds anything to our understanding of the causes of the recent warming." That is on the paper submitted by Richard Muller.

Roger Peilke, Jr., said that the "bigger issue is how the New York Times let itself be conned into running [Muller's] op-ed."

Michael Mann is the guy who started this whole thing at the U.N., putting it together. He had the hockey stick thing that has been totally discredited. He said:

It seems, in the end—quite sadly—that this is all really about Richard Muller's self-aggrandizement.

So much for the statements that were made to give credibility to their side by Richard Muller.

I think another thing that was stated this morning was we have evidence of climate change all around—wildfires, drought and vegetation, and all that type. Then they talked about glaciers. Well, let me just share the facts about that, which I think are very significant, as far as the droughts and all that are concerned. Again, this is a statement made by the senior Senator from Massachusetts this morning, talking about all these things that are happening as a result of global warming.

Well, hurricanes, according to NOAA, have been on the decline in the United States since the beginning of records in the 19th century. The worst decade for major—category 3, 4, and 5—hurricanes was in the 1940s.

To quote the Geophysical Research Letters:

Since 2006, global tropical cyclone energy has decreased dramatically . . . to the lowest levels since the late 1970s. Global frequency of tropical cyclones has reached a historic low.

So just the opposite.

On tornadoes, NOAA scientists reject a global warming link to tornadoes. To quote them:

No scientific consensus or connection between global warming or tornado activity.

Droughts. The Senator talked about droughts this morning. Reading from this article, the headline is "Scientist disagrees with Obama on cause of Texas drought:" and to quote Dr. Robert Hoerling, a NOAA research meteorologist, "This is not a climate change drought."

They further said severe drought in 1934 covered 80 percent of the country compared to only 25 percent in 2011.

The statements that were made about the Arctic and about Greenland this morning, if you look at a November 2007 peer-reviewed—and I stress peer-reviewed—study, conducted by a team of NASA and university experts, it found cyclical changes in ocean currents impacting the Arctic. The excerpt from this peer-reviewed study by NASA says:

Our study confirms that many changes seen in upper Arctic Ocean circulation in the 1990s were mostly decadal in nature, rather than trends caused by global warming.

And 2011 sees 9,000 Manhattans of Arctic ice recovery since the low point in 2007.

Let me explain what that means. When we talk about the Manhattan Arctic recovery, they use Manhattan because that is something people can identify with, and then they relate that to the recovery of ice. In this case—this is, again, from NASA. In 2011, there were 9,000 Manhattans of Arctic ice recovery since the low point in 2007. Now, this study was 2011. So that means the low point was actually below that, and it has been decreasing since that time.

Now, that was the Arctic. In the Antarctic there is a 2008 peer-reviewed paper in the American Geophysical Union, and it found a doubling in snow accumulation in the western Antarctic Peninsula since 1850. In a paper published in the October Journal of Climate Examples, the trend of sea ice extends along the east Antarctic coast from 2000 to 2008 and finds a significant increase of 1.43 percent per year.

Let's talk about Greenland. And I will always remember when I had occasion—well, one of the things I have been interested in is aviation. I have been an active pilot for, I guess, 60 years now. The occupier of the chair is fully aware of this because he and I together were able to pass the pilots' bill of rights, so for the first time an accused pilot has access to the judicial system. But as the occupier of the chair is fully aware, I had occasion to fly an airplane around the world one time, emulating the flight of Wiley Post when he went around the world. It is an exciting thing, but it is one of those things where you feel you are glad you did it, but you never want to do it again. It was kind of miserable at times.

Anyway, I remember coming across Greenland, following Wiley Post, and starting in the United States, going up to Canada, then Greenland, to Iceland,

back to western Europe, and then across Siberia. But in Greenland they are still talking up there about what it used to be like in Greenland. They had gone through this melting period where everyone up there was growing things. They were ecstatic up there, talking about the great old times. Then, of course, the cold spell came along, and it got much colder and it was much worse.

Now, the IPCC, in 2001, covered this. They said that to melt the Greenland ice sheet would require temperatures to rise by 5½ degrees Celsius and remain for 1,000 years. The ice sheet is growing 2 inches a year. So that is Greenland, and they were just talking about Greenland this morning. In fact, they talked about it during this hearing too.

Let me mention this IPCC and remind everyone of something that people tend to forget. The IPCC is the Intergovernmental Panel on Climate Change. It was put together by the United Nations a long time ago. It all started in 1992 down in Rio de Janeiro. They had their big gathering down there to try to encourage everyone to pass the Kyoto Treaty. The treaty was never even submitted by the Clinton-Gore administration, although Gore went to this big meeting in Rio de Janeiro. They had a wonderful time down there. At that time they were all saying the world is coming to an end so we have to pass the Kyoto Treaty to stop all that. Well, that is the IPCC that I have been very critical of because that is the science on which all of these things are based that we are dealing with today.

So much for these things that were stated in terms of the disasters and the droughts and all of these problems. The next thing he talked about—and I have already talked about Greenland—is he talked about it is going to be necessary to have carbon caps. I think we talked about that this morning. Right now, there are those people who are advocating cap and trade—a very complex, difficult thing to explain—which is essentially requiring a cap on carbon emissions and then trading these emissions back and forth. That is something they do not talk about anymore because that has been completely discredited. Now they are talking about a carbon tax, and I think that was mentioned this morning.

Quoting the Senator from Massachusetts this morning once again:

The avoidance of responsibility has to stop. We have been waiting for 20 years now while other countries, including China, are stealing our opportunities.

Let's put up that chart. Let's talk a little about China. You know China is the great beneficiary of anything we do here to put caps on carbon because they are the ones that are doing it. So they say China is making great strides in reducing their carbon emissions. Well, look at this. The green line there is China. This is in emissions—billions of tons of emissions. It starts down at

2, a little over 2, which was in 1990, and it was fairly low until 2002.

Look at what has happened. It has doubled in tons of emissions. China has actually doubled in that period of time, from 2002 to 2012—a 10-year period.

At the same time, we have actually reduced our emissions—both the United States and the European Union. To suggest that China is sitting back there waiting for us to provide the leadership for them to destroy their economy is pretty outrageous.

By the way, the other statement that has been made in the past, not just by the Senator to whom I have referred but several others, is that we are not going to be able to solve the problem and to do something about our reliance upon the Middle East just by developing our own resources. That is wrong.

There is a guy named Harold Hamm, who is now the authority, and he has actually had more successful production in tight formations. He happens to be from my State of Oklahoma. I called him up before a speech or a debate I was involved in probably 6 months ago, and I said to Harold Hamm: You know, if we were to open up the United States—now, granted, there has been a surge in the production in this country, in the recovery, but that is all in private lands; none in public lands because we have had a reduction in public lands.

The Obama administration has said over and over and over—and I guess if you say something wrong enough times people will believe it—that even if we open these public lands it would take 10 years before that would arrive at the pumps.

So I asked Harold Hamm, and I said: You are going to have to give me something you can document, but if we were to set up in New Mexico, for example, where you are precluded on public lands from drilling, and you put up your operation, how long would it take you to bring up the oil and actually go through the whole refinery process and get it to the pump to get the supply there so we can bring down the price of oil, of gas, at the pumps? He said: Seventy days. He didn't hesitate.

I said: Seventy days? They said it would take 10 years.

He said: No. He said: It would take 30 days to go down and lift it up—60 days before you hit the surface, and in preparation of sending it to a refinery, then in 10 days you get it to the refinery and to the pumps.

Well, I am just saying there is this whole idea we have to rely on some kind of green energy that has not even been developed yet in terms of technology and ration what we have in this country. I mean, this Obama administration has had a war on fossil fuels since before he was elected President of the United States. He wants to kill fossil fuels. We all know that. And I am not going to quote all the people in his administration who say we are going to have to raise the price at the pumps to

be comparable to Central Europe before people will be weaned off of fossil fuel because I think people know that now.

This morning was kind of interesting. We had a hearing this morning, and one of the witnesses was a Dr. Christopher Field. He was a witness for the other side, and he made a lot of statements. It was kind of interesting because there is an article that was sent out, written by Roger Pielke, Jr., who is from the University of Colorado at Boulder, and he was actually on the IPCC at one time. But he is one of the authorities who disagrees with me, and he talked about how wrong Dr. Field was.

Now, this is what Field said, first of all:

As the U.S. copes with the aftermath of last year's record-breaking series of \$14 billion climate-related disasters and this year's massive wildfires and storms, it is critical to understand that the link between climate change and the kinds of extremes that lead to disasters is clear.

Well, what did Roger Pielke say this morning? He said:

Field's assertion that the link between climate change and disaster "is clear," which he supported with reference to U.S. "billion dollar" economic losses, is in reality scientifically unsupported by the IPCC. Period.

That was the response to the assertion made this morning.

Another assertion made this morning by Field was:

The report identified some areas where droughts have become longer and more intense (including southern Europe and west Africa), but others where droughts have become less frequent, less intense or shorter.

This is what was said in response to that. Again, this is Dr. Roger Pielke, Jr., just today. This is in today's paper he published.

Field conveniently neglected in his testimony to mention that one place where droughts have gotten less frequent, less intense or shorter is . . . the United States. Why did he fail to mention this region, surely of interest to U.S. Senators. . . .

Myself included—that were on the panel?

The third thing he mentioned on NOAA's billion-dollar disasters; Field said:

The U.S. experienced 14 billion-dollar disasters in 2011, a record that far surpasses the previous maximum of 9.

Field says nothing about the serious issues with NOAA's tabulation. The billion-dollar disaster memo is a PR train wreck, not peer-reviewed, and is counter to the actual science summarized in the IPCC. Again, this is Dr. Pielke, Jr., who disagrees with me on this, but he said he is tired of people saying things that are not true.

I ask unanimous consent to include his entire statement in the RECORD because he goes over point after point and discredits everything that was said by this witness—whose name is Christopher Field—this morning.

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

ROGER PIELKE JR IPCC LEAD AUTHOR  
MISLEADS US CONGRESS

The politicization of climate science is so complete that the lead author of the IPCC's Working Group II on climate impacts feels comfortable presenting testimony to the US Congress that fundamentally misrepresents what the IPCC has concluded. I am referring to testimony given today by Christopher Field, a professor at Stanford, to the US Senate.

This is not a particularly nuanced or complex issue. What Field says the IPCC says is blatantly wrong, often 180 degrees wrong. It is one thing to disagree about scientific questions, but it is altogether different to fundamentally misrepresent an IPCC report to the US Congress. Below are five instances in which Field's testimony today completely and unambiguously misrepresented IPCC findings to the Senate.

1. On the economic costs of disasters:

Field: "As the US copes with the aftermath of last year's record-breaking series of 14 billion-dollar climate-related disasters and this year's massive wildfires and storms, it is critical to understand that the link between climate change and the kinds of extremes that lead to disasters is clear."

Field's assertion that the link between climate change and disasters "is clear," which he supported with reference to US "billion dollar" economic losses, is in reality scientifically unsupported by the IPCC. Period. There is good reason for this—it is what the science says. Why fail to report to Congress the IPCC's most fundamental finding and indicate something quite the opposite?

2. On US droughts:

Field: "The report identified some areas where droughts have become longer and more intense (including southern Europe and West Africa), but others where droughts have become less frequent, less intense, or shorter."

What the IPCC actually said: . . . in some regions droughts have become less frequent, less intense, or shorter, for example, central North America. . . .

Field conveniently neglected in his testimony to mention that one place where droughts have gotten less frequent, less intense or shorter is . . . the United States. Why did he fail to mention this region, surely of interest to US Senators, but did include Europe and West Africa?

3. On NOAA's billion dollar disasters:

Field: "The US experienced 14 billion-dollar disasters in 2011, a record that far surpasses the previous maximum of 9."

What NOAA actually says about its series of "billion dollar" disasters: "Caution should be used in interpreting any trends based on this [data] for a variety of reasons"

Field says nothing about the serious issues with NOAA's tabulation. The billion dollar disaster meme is a PR train wreck, not peer reviewed and is counter to the actual science summarized in the IPCC. So why mention it?

4. On attributing billion dollar disasters to climate change, case of hurricanes and tornadoes:

Field: "For several of these categories of disasters, the strength of any linkage to climate change, if there is one, is not known. Specifically, the IPCC (IPCC 2012) did not identify a trend or express confidence in projections concerning tornadoes and other small-area events. The evidence on hurricanes is mixed."

What the IPCC actually said: "The statement about the absence of trends in impacts attributable to natural or anthropogenic climate change holds for tropical and extratropical storms and tornadoes"

Hurricanes are, of course, tropical cyclones. Far from evidence being "mixed" the

IPCC was unable to attribute any trend in tropical cyclone disasters to climate change (anywhere in the world and globally overall). In fact, there has been no trend in US hurricane frequency or intensity over a century or more, and the US is currently experiencing the longest period with no intense hurricane landfalls ever seen. Field fails to report any this and invents something different. Why present testimony so easily refuted? (He did get tornadoes right!)

5. On attributing billion dollar disasters to climate change, case of floods and droughts:

Field: "For other categories of climate and weather extremes, the pattern is increasingly clear. Climate change is shifting the risk of hitting an extreme. The IPCC (IPCC 2012) concludes that climate change increases the risk of heat waves (90% or greater probability), heavy precipitation (66% or greater probability), and droughts (medium confidence) for most land areas."

What the IPCC actually says: "The absence of an attributable climate change signal in losses also holds for flood losses" and (from above): "in some regions droughts have become less frequent, less intense, or shorter, for example, central North America"

Field fails to explain that no linkage between flood disasters and climate change has been established. Increasing precipitation is not the same thing as increasing streamflow, floods or disasters. In fact, floods may be decreasing worldwide and are not increasing the US. The fact that drought has declined in the US means that there is no trend of rising impacts that can be attributed to climate change. Yet he implies exactly the opposite. Again, why include such obvious misrepresentations when they are so easily refuted?

Field is certainly entitled to his (wrong) opinion on the science of climate change and disasters. However, it utterly irresponsible to fundamentally misrepresent the conclusions of the IPCC before the US Congress. He might have explained why he thought the IPCC was wrong in its conclusions, but it is foolish to pretend that the body said something other than what it actually reported. Just like the inconvenient fact that people are influencing the climate and carbon dioxide is a main culprit, the science says what the science says.

Field can present such nonsense before Congress because the politics of climate change are so poisonous that he will be applauded for his misrepresentations by many, including some scientists. Undoubtedly, I will be attacked for pointing out his obvious misrepresentations. Neither response changes the basic facts here. Such is the sorry state of climate science today.

Mr. INHOFE. It is important to talk about the IPCC because if we stop and think about it, everything that has been happening comes from the science that was investigated and formulated by the IPCC—Intergovernmental Panel on Climate Change—that is, the United Nations. In my book I talk a little bit about that, but I don't believe it would be appropriate to mention it at this time. But at today's hearing, we talked about the IPCC.

When they were unable, through about five or six different bills, to get cap and trade through—keep in mind, cap and trade through legislation would cost the American people between \$300 billion and \$400 billion a year. But when that failed, we had something happen in December 2009.

The United Nations has this big party every year, and they invite coun-

tries from around the world to testify that global warming is happening and they are going to do something about it. One time in Milan, Italy, I saw one of my friends from West Africa. I said, What in the world are you doing here? You know better than this—in terms of global warming. He said, This is the biggest party of the year. Besides that, if we agree to go along with this, we in West Africa are going to get billions of dollars from the United Nations, from those countries in the developed nations.

Another big party was coming up in Copenhagen in 2009. I think Senator KERRY had gone over; Hillary Clinton had gone over. I don't believe Barack Obama was there. NANCY PELOSI was there and several others were there. They were telling all these countries: Don't you worry about it because we in the United States of America are going to pass cap-and-trade legislation this year. So I said I was going to go over as a one-man truth squad to let them know the truth, and I did. I went over and told the 191 other countries there: We are not going to pass cap and trade. It is dead. It is gone. They can't get one-third of the Senate to support it.

Before I left, one of my favorite liberals, Lisa Jackson—I really like her. She is Obama's appointee and is now the Director of the Environmental Protection Agency. Right before I went to Copenhagen, we had a hearing and she was a witness.

I said: Madam Administrator, I have a feeling that once I leave and go to Copenhagen, you are going to come out with an endangerment finding that will give you justification to start doing what they couldn't do by legislation through regulations. And I could see a smile on her face.

I said: When you do this, it has to be based on science. What science are you going to base this on?

She said: Well, the Intergovernmental Panel on Climate Change would be the major thing. And, sure enough, that is exactly what happened.

I could not have planned it, but she made this declaration that we now are going to be able to do through regulation what we couldn't do through legislation because the people of America had spoken through their elected representatives in the House and the Senate and had denied the opportunity to do cap and trade, so they decided to do it on an endangerment finding.

What happened after that is what I call poetic justice. Climategate occurred. I had nothing to do with it when it happened, but all the speeches I had made in the previous 10 years on the floor of this Senate were speeches saying exactly the same thing: that they were cooking the science and what they were saying was not real.

I read several of the editorials that came out after climategate. The New York Times has always been on the other side of this issue. They said:

Given the stakes, the IPCC cannot allow more missteps and, at the very least, must



tighten procedures and make its deliberation more transparent. The panel's chairman . . . is under fire for taking consulting fees from business interests. . . .

The Washington Post, which has also been on the other side of this issue, said:

Recent revelations about flaws in that seminal IPCC report, ranging from typos in key dates to sloppy sourcing, are undermining confidence not only in the panel's work but also in projections about climate change.

Newsweek:

Some of the IPCC's most-quoted data and recommendations were taken straight out of unchecked activist brochures, newspaper articles. . . .

Christopher Booker of the UK Telegraph said of climategate, ". . . the worst scientific scandal of our generation."

Clive Crook of the Financial Times said: "The stink of intellectual corruption is overpowering."

A prominent physicist from the IPCC said: "Climategate was a fraud on the scale I have never seen."

Another UN Scientist, bails:

UN IPCC Coordinating author Dr. Philip Lloyd calls out IPCC 'fraud'—the result is not scientific.

Newsweek:

Once celebrated climate researchers feeling like used car salesmen. Some of IPCC's most-quoted data and recommendations were taken straight out of unchecked activist brochures.

Clive Cook of the Atlantic Magazine, speaking of the IPCC, responds:

I had hoped, not very confidently, that the various Climategate inquiries would be severe. This would have been a first step towards restoring confidence in the scientific consensus.

So everyone is in agreement that this is what climategate was all about. And why I am spending so much time on this is because this is the science of all of these things that started since Kyoto.

By the way, the Senator, this morning on the floor, commented about the Kyoto Treaty. Let's keep in mind, the Kyoto Treaty was back during the Clinton-Gore administration. They were strongly in support of it. Vice President Gore went down to the summit they were having in Rio de Janeiro and signed the treaty, but they never submitted it to the Senate.

To become a part of a treaty, it has to be ratified by the United States. It never was, and people need to understand that there is a reason it never was submitted.

I would suggest a couple of other things in the remainder of the time that I have that I think are significant and worthy of bringing up. One would be the one-weather event. The thing that we are hearing more about than anything else is that it has been a very hot summer. On Monday, my wife called me up and said: In Tulsa it is 109 degrees today.

I was joking around with my good friend from Vermont—we disagree with each other, but he is a good friend.

Sure, it is hot. But it is so important that people understand, weather is not climate.

Roger Pielke, Jr., a professor of environmental studies at University of Colorado, said:

Over the long term, there is no evidence that disasters are getting worse because of climate change.

Judith Curry, chair of the Georgia Institute of Technology's School of Earth and Atmospheric Sciences, has said:

I have been completely unconvinced by any of the arguments . . . that attribute a single extreme weather event, a cluster of extreme weather events, or statistics of extreme weather events to anthropogenic forcing.

Myles Allen at the University of Oxford's Atmospheric, Oceanic, and Planetary Physics Department:

When Al Gore said . . . that scientists now have clear proof that climate change is directly responsible for the extreme and devastating floods, storms and droughts . . . my heart sank.

I consider Rachel Maddow of MSNBC to be one of the outstanding liberals, and she is one of my four favorite liberals. I have been on her program, and I have enjoyed it. Bill Nye, the Science Guy, agrees that some of these weather events have nothing to do with global warming.

The other thing I made a note of that came up this morning was that they said there is no evidence on cooling. I think it is important to talk about that a little bit because a prominent Russian scientist said:

We should fear a deep temperature drop—not catastrophic global. . . . Warming had a natural origin . . . CO<sub>2</sub> is not guilty.

U.N. Fears (More) Global Cooling Cometh! An IPCC scientist warns the U.N.:

We may be about to enter one or even two decades during which temps cool.

I ask unanimous consent all of these be placed in the RECORD showing that a single weather event has nothing to do with climate.

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

#### GLOBAL COOLING PREDICTIONS

3. Paleoclimate scientist Dr. Bob Carter, James Cook University in Australia, who has testified before the U.S. Senate Committee on EPW, noted on June 18, 2007, "The accepted global average temperature statistics used by the Intergovernmental Panel on Climate Change (IPCC) show that no ground-based warming has occurred since 1998. Oddly, this 8-year-long temperature stability as occurred despite an increase over the same period of 15 parts per million (or 4%) in atmospheric CO<sub>2</sub>.

(ANDREW REVKIN)

4. Just months before Copenhagen, on September 23, 2009, the New York Times acknowledged, "The world leaders who met at the United Nations to discuss climate change . . . are faced with an intricate challenge: building momentum for an international climate treaty at a time when global temperatures have been relatively stable for a decade and may even drop in the next few years."

Mr. INHOFE. I do think it is important to bring this up because this is

happening right now, after 3 years, and not one mention of global warming, and all of a sudden it is global warming.

Mr. President, I ask unanimous consent to extend my time by 5 minutes.

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

Mr. INHOFE. This morning I showed a picture of an igloo. I have 20 kids and grandkids. My daughter Molly and her husband have four children. One of those is adopted from Africa, a little girl. She was brought over here when she was a little baby. She is now 12 years old, reading at a college level. She is an outstanding little girl. I sponsor the African dinner every February, and she, for the last 3 years, has been kind of a keynote speaker, and everybody loves her.

They were up here 2 years ago, and they couldn't leave because all the airports were closed because of the ice storm. What do you do with a family of six when they are stuck someplace? They built an igloo. That was fun—a real igloo that will sleep four people. This became quite an issue, and we had articles from France and Great Britain and all criticizing my family. In fact, my cute little family was declared by Keith Olbermann of MSNBC to be the worst family in America because of this.

The point they were trying to make is, no one ever asserted that because it was the coldest winter in several decades up here that somehow that refuted global warming. I said: No, that isn't true. Now those same people are saying that it is.

So you can fool the American people part of the time and you can talk about all the hysteria and all the things that are taking place, but the people of America have caught on.

In March 2010, in a Gallup poll, Americans ranked global warming dead last, No. 8 out of eight environmental issues. They had a vote, and this was dead last.

A March Rasmussen poll: 72 percent of American voters don't believe global warming is a serious problem.

An alarmist, Robert Socolow, laments:

We are losing the argument with the general public big time . . . I think the climate change activists—myself included—have lost the American middle.

So as much money as they have spent and the efforts they have made, and moveon.org and George Soros and Michael Moore and the United Nations and the Gore people and the elitists out in California in Hollywood, they have lost this battle. Now they are trying to resurrect it. They would love nothing more than to pass this \$300 billion tax increase. It is not going to happen.

But I am glad that we are talking about it again, and I applaud my friend, Senator SANDERS from Vermont is a real sincere activist on the other side. We agree on hardly anything—except infrastructure, I would have to

say—and yet we respect each other. That is what this body is all about. We should have people who are on both sides of all these controversial issues talking about it. There has been a silence for 3 years. Now we are talking about it again.

So welcome back to the discussion of global warming. I look forward to future discussions about this.

Mr. President, I yield the floor.

UNANIMOUS CONSENT AGREEMENT S. 3326

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we are about to do something really important in the Senate. It would increase U.S. textile exports to Central American countries, it would promote development and economic stability by creating jobs in, of course, African countries, and it would extend U.S. import sanctions with Burma, which the Republican leader will speak more about. This bill would help maintain about 2,000 jobs in North Carolina and South Carolina alone. It is a very good bill. It is fully paid for. It is an important piece of legislation.

Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 459, S. 3326; that the only amendment in order be a Coburn amendment, the text of which is at the desk; that there be 30 minutes for debate equally divided and controlled in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote in relation to the amendment; that if the amendment is not agreed to, the bill be read the third time and passed without further action or debate; that when the Senate receives H.R. 5986 and if its text is identical to S. 3326, the Senate proceed to the immediate consideration of H.R. 5986, the bill be read the third time and passed without further debate, with no amendments in order prior to passage; further, that if the Coburn amendment is agreed to, the Finance Committee be discharged from further consideration of H.R. 9 and the Senate proceed to its immediate consideration; that all after the enacting clause be stricken and the text of S. 3326, as amended, be inserted in lieu thereof, the bill be read the third time and passed without further debate; that when the Senate receives H.R. 5986, the Senate proceed to it forthwith and all after the enacting clause be stricken and the text of sections 2 and 3 of S. 3326, as reported, by inserted in lieu thereof, the bill be read the third time and passed, without further debate, as amended, and S. 3326 be returned to the Calendar of Business; finally, that no motions be in order other than motions to waive or motions to table and that motions to reconsider be made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, and I will

not be objecting, let me echo the remarks of the majority leader. This is an important piece of legislation.

The part I have the most interest in renews Burma's sanctions—something we have done on an annual basis for 10 years. We are renewing the sanctions in spite of the fact that much progress has been made in Burma in the last year and a half. Secretary Clinton will, of course, recommend to the President that these sanctions be waived in recognition of the significant progress that has been made in the last year and a half in that country, which is trying to move from a rather thuggish military dictatorship to a genuine democracy. There is still a long way to go.

This is an important step in the right direction. America speaks with one voice regarding Burma. My views are the same as the views of the Obama administration as expressed by Secretary Clinton.

I thank the chairman of the Finance Committee also for helping us work through the process, and particularly Senator COBURN, who had some reservations about the non-Burma parts of this bill. I think we have worked those out and are moving forward. It is an important step in the right direction.

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

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

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

#### IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 1950.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Resolved, that the House agree to the amendment of the Senate to the bill (H.R. 1905) entitled "An Act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes", with an amendment.

Mr. JOHNSON of South Dakota. Mr. President, I rise in strong support of the Iran Threat Reduction and Syria Human Rights Act, our legislation which embodies a bipartisan, bicameral agreement to reconcile the current Senate and House-passed versions of Iran sanctions legislation. Once implemented, this comprehensive new set of sanctions will help dramatically to increase the pressure on Iranian government leaders to abandon their illicit nuclear activities and support for terrorism. This bill passed the House of Representatives by an overwhelming bipartisan vote of 421 to 6 earlier this evening. I hope all of my colleagues will join me in supporting it so that it can be adopted by the Senate and signed into law by the President as soon as possible.

So far, in the sputtering P5+1 negotiations, Iran has shown no clear signs of a willingness to work with the international community to engage in a serious way on nuclear issues. It remains to be seen whether Iran will ultimately be willing to work towards progress on the central issues at upcoming negotiating sessions, or whether the meetings will simply be another in a series of stalling actions to buy time to enrich additional uranium and further fortify their nuclear program. That is why I think it necessary to intensify the pressure, and move forward quickly now on this new package that leaves no doubts about U.S. resolve on this issue. As we all recognize, economic sanctions are not an end: they are a means to an end. That end is to apply enough pressure to secure agreement from Iran's leaders to fully, completely and verifiably abandon their illicit nuclear activities.

Isolated diplomatically, economically, and otherwise, Iran must understand that the patience of the international community is fast running out. With these new sanctions, including those targeted at the I-R-G-C, we are pressing Iran's military and political leaders to make a clear choice. They can end the suppression of their people, come clean on their nuclear program, suspend enrichment, and stop supporting terrorist activities around the globe. Or they can continue to face sustained multilateral economic and diplomatic pressure, and deepen their international isolation.

This legislation is based on the Senate bill which passed with unanimous support in May. It incorporates new measures from Democrats and Republicans in the House and Senate. The sanctions contained in this bill reach more deeply into Iran's energy sector than ever before, and build on the sweeping banking sanctions Congress enacted 2 years ago to reach to insurance, shipping, trade, finance and other sectors, targeting those who help to bolster Iranian government revenues which support their illicit nuclear activities.

As I have said before, the prospect of a nuclear-armed Iran is the most pressing foreign policy challenge we face, and we must continue to do all we can—politically, economically, and diplomatically—to avoid that result. In recent months, we have seen increased signs that the Iranian regime is feeling the pressure of existing sanctions. Their currency has plummeted, their trade revenues have been sharply curtailed, and they are under increasing pressure from the oil sanctions regime currently in place. With passage of this bill, we are taking another significant step to block the remaining avenues for the Iranians to fund their illicit behavior and evade sanctions. The bill also requires sanctions on those who purchase new Iranian sovereign debt, thereby further limiting the regime's ability to finance its illicit activities.

In addition, there are substantial new sanctions for anyone who engages