

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

# VETERANS JOBS CORPS ACT OF 2012 MOTION TO PROCEED—continued

## MINERAL INDUSTRY TRANSPARENCY

Mr. CARDIN. Mr. President, it has been 2 years since Congress passed legislation that provided for transparency in the mineral industry. It was a provision that was included in the Dodd-Frank bill. It was included as an amendment on which Senator LUGAR and I worked. I wish to thank Senator LUGAR for his incredible leadership on this issue—transparency—as well as so many other issues that affect the security of not only America but global security.

The provision is something we worked on to provide transparency in developing countries. It provided a visible sign of U.S. leadership, that we are going to do everything we can to promote good governance around the world; to demonstrate that we understand that for the stability of America, we need countries that have good governance.

The United States spends more money than any other country in the world on our national security budget. In fact, we spend more than most of the other countries combined spend on national defense. We have the ability to use our military for our national defense, but it is much better if we can develop stable countries around the world. The way to develop stable countries is to help them build a stable economy, to help them build wealth, and to help them have good governance.

It is impossible to see the type of progress we want in the developing countries unless they have good governance. I might say that the more we can help in this regard, the more we promote good governance and economic growth, the better off we will be. Our direct security burdens will be reduced, and we will have new markets, which will create economic opportunities for America.

As the Presiding Officer knows, this is the guiding principle of the Organization for Security and Cooperation in Europe. We used the Helsinki Commission as our implementing arm. The Helsinki Accords that were signed in 1975 between Europe—all of the countries of Europe—the United States, and Canada recognized that it was in our national security interests to support stable countries that respect human rights and have good governance.

This is the reason the Cardin-Lugar amendment was so important in the Dodd-Frank Wall Street reform legislation. Let me explain what it does. It requires mineral companies to list the payments they make to extract the minerals they take out of a country. Whether we are talking about gas or oil, whether it is diamonds or copper—the companies need to divulge their in-

dividual payments to foreign countries in their reports to the Securities and Exchange Commission, SEC.

We did that for many reasons.

One reason, quite frankly, is that although many countries in the world have vast sums of mineral wealth, these are some of the poorest countries in the world. We call it the “resource curse” because the natural resource wealth of the country isn’t just being denied to the people for their economic growth, it is being used to fuel corruption within their own country. So one of the reasons for the provision we incorporated in the Dodd-Frank bill was to provide transparency so that the people of the country, along with the international community, will know exactly where payments are being made for the extraction of mineral wealth in a country.

Senator LUGAR and I also thought that such information would be important for U.S. investors, too. If someone is going to invest in a mineral company, he or she has a right to know where that company is signing contracts and paying money for access to the natural resource(s).

It is also important for U.S. interests. We need stable mineral reserves. As the Presiding Officer knows, we have gone to war over the need for oil. We need stable markets so that we do not jeopardize our own economic progress.

So the Cardin-Lugar provision gives us a chance to follow the money, as the saying goes, in a particular country.

For all of these reasons, Mr. President, we passed a provision as part of the Dodd-Frank legislation that requires every company that is involved in extracting minerals to list those payments specifically by project in their SEC filings.

It was pretty clear as to what needed to be done. We gave the authority to the SEC to issue the necessary regulations. Well, we have been waiting 2 years for these regulations—2 years. We are now well beyond the time limit that was spelled out in the legislation for the SEC to issue its regulations. Yet the SEC still hasn’t issued final regulations.

I have read the statute over and over again. I helped write the statute. Senator LUGAR has read the statute. We do not understand the difficulty. It was not a complicated provision. It said exactly what the companies have to do. So we are somewhat puzzled why it has taken this length of time for the SEC to issue its final regulations. In the meantime, we are being denied the benefit of this law. We are being denied the opportunity to protect our investors. We are being denied the opportunity to follow the money, to help promote good governance abroad. All that has been delayed as a result of the SEC’s failure to issue regulations.

I must say that it also jeopardizes U.S. leadership. Yes, there are other countries interested in following what the United States is doing. We have

heard from Europe, and we have heard from Asia. They want to adopt similar laws. They do not know what to pass because they are still waiting for the SEC to act. So the failure to act isn’t just affecting our ability; it is also affecting other countries. Collectively, between Asia, Europe, and the United States, we can pretty much cover all of the international extractive companies and therefore have a real, major impact on transparency on this issue.

I might say that one of the criticisms I have heard is about why we have a separate bill. We already have what is known as the Extractive Industries Transparency Initiative, or EITI. There is an international organization that is voluntary. Countries can join. The United States has participated in the EITI. EITI participants help countries with best practices for developing the governance to deal with how they handle their mineral wealth. EITI is an important program. It is a voluntary program. It works well.

The Cardin-Lugar provision in the Dodd-Frank legislation complement the EITI. The two work together. Between the two, the EITI and our legislation, there’s a way that we can really require companies to make the information available in an open way. The EITI gives developing countries the technical assistance they need to manage their mineral wealth in the most effective way for the benefit of their own people, to elevate their wealth and to have a more sustainable economy.

This delay has caused a great deal of concern to many of us. Quite frankly, Oxfam, for example, has filed suit against the SEC for its failure to issue regulations, and I am very sympathetic to that lawsuit.

I wish to inform Senators that we have now been told the SEC will finally issue its regulations on August 22, in just a few weeks. SEC officials have formally responded to the Oxfam lawsuit, saying the agency will issue regulations on August 22. I have received a letter from the SEC indicating the same thing. It is long overdue.

I am looking forward to seeing the regulations from the SEC. I hope the SEC follows the letter and spirit of the legislation. It is up to Congress to pass the laws. SEC needs to implement the laws under direction and guidance from Congress. We have made it clear that we want openness and transparency. I know some oil companies may not like that, but they do not write the laws, we do. It is up to the SEC now to promulgate the regulations that carry out the intent of our law and help us move forward so that the resource wealth of countries in the developing world become a real asset, a real benefit, as they develop sustainable economies and good governance, which helps global stability and helps the global economy.

We will be watching the SEC. I know we will be in recess on the 22nd, but we will be watching the SEC. I hope that Congress and the SEC will be working

together and that the United States will continue exercising its leadership, so that we will see other countries follow suit where we really can make a difference in the wealth and growth of countries around the world that for too long have been suffering even though they have enormous mineral wealth.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, we have had a great deal of conversation these past several days regarding cyber security. There is no question that we all agree it is a critical issue. I am sure every Member of this body shares the concern that our Nation is vulnerable to cyber attacks, and those attacks could have severe economic and national security ramifications.

We saw just this week over 180 amendments filed to the cyber legislation. I think it is pretty clear that a lot of us have ideas on how best to protect our critical infrastructure. I think that is just one of the reasons I was disappointed that the amendment tree was filled and cloture was filed on the cyber measure.

I don't think that was the process we were promised when the Senate overwhelmingly agreed to consider the cyber security bill. Because Members were denied the opportunity to have a thoughtful and complete debate, the cloture vote failed on a bipartisan basis this morning.

We have heard a lot about the electric grid during this debate and how legislation is needed to protect our Nation's transmission systems from cyber attack. What perhaps has been missing from this debate and discussion is a recognition that Congress had already moved to protect our grid system, and they did so 7 years ago. They enacted the bipartisan Energy Policy Act of 2005.

I am the ranking member on the committee of jurisdiction. I reassure my colleagues that we already have mandatory cyber security standards in place for our electric grid. In the 2005 Energy Policy Act, Congress directed the Federal Energy Regulatory Commission, FERC, the grid's regulator, to set mandatory enforceable reliability standards, including standards for cyber security. And because these standards can be very technical—extremely complex—Congress decided they should be developed through a consensus-driven stakeholder process that is overseen by the Electric Reliability Organization—an organization that we call NERC.

We thought this was so important back in 2005 that we even expanded FERC's traditional jurisdiction to in-

clude municipal and cooperatively owned utility systems under these grid reliability standards. Now, it might surprise some to learn that the FERC-NERC mandatory cyber security regime currently regulates over 1,900 different entities and that the electric power sector is already subject to Federal penalties, and these penalties are serious—up to \$1 million per day for noncompliance. So there is teeth attached to these standards.

In fact, one of our own government entities—the Southwestern Power Administration—was recently fined by the grid regulators for violating two mandatory cyber standards.

The point is the electric power sector and our grid regulators have been working extremely hard these past 7 years to develop and to implement these cyber standards. We have already taken substantial measures to safeguard our electric utility systems. We have identified our critical assets and established security management controls, performed risk assessments, and trained personnel. We have established sabotage reporting and mandated disaster recovery plans. These are all processes and procedures that have been put in place.

Also, it might surprise some to learn the Nuclear Regulatory Commission—the NRC—has already taken action to protect the Nation's nuclear facilities from cyber attack. The nuclear industry developed a cyber security program for critical assets over a decade ago. The NRC now mandates cyber security plans for nuclear plants, including the identification of critical cyber assets and required contingency and incident response plans. Failure to comply with the NRC cyber requirements also can result in fines and even an order to shut down the nuclear reactor.

So, again, there are standards that have been put in place with compliance requirements and penalties that are attached for failure to comply.

One concern was that the cyber bill was brought to the floor via rule XIV. A concern with this was that it would undermine the existing mandatory framework that Congress has already established within the electric utility grid. By establishing a competing regime—even if that regime was truly voluntary—the Cybersecurity Act the Senate just rejected could duplicate, conflict with, and even supercede the hard work that has already been put in over these past several years to safeguard both our grid and our nuclear facilities.

One of the amendments I had filed to the bill, and I had hoped we would have an opportunity to discuss, was a strong savings clause—a savings clause that would maintain the mandatory protections that are in place. Two competing systems are not workable and could, in fact, make the Nation's grid and nuclear facilities even more vulnerable to cyber attack.

One thing we have learned in the Energy Committee, in overseeing our

mandatory cyber practices, is not everything necessarily needs to rise to the level of a foundational standard. But with cyber threats and vulnerabilities that are constantly emerging and constantly changing, I think the one thing we would agree on is that we always need more information.

I think we can also all agree the Federal Government needs to form a partnership with the private sector. The government and the private sector share the same goals—to keep our computer systems and our Nation safe from cyber intrusions. We need the private companies to be talking with each other and with the government about the cyber problems they face as well as potential strategies and the solutions to combat them. We also need our government to provide timely and actionable information to the private sector. It has to go both ways.

So as we go off to our respective States and discuss with our constituents back home the many issues that are out there, I would encourage Members to take a look at what has been introduced by the ranking members—the SECURE IT cyber legislation. Take a look at what has been offered as an alternative. It is a commonsense approach to addressing our ever-increasing cyber threats.

Our bill focuses on four areas where we believe we can reach bipartisan support and which will result in legislation that can get enacted, even given the politics of an election year. The four areas we focus on are information sharing, FISMA reform, criminal penalties, as well as additional research.

Mr. President, I want to close with just some observations quickly about the process. Back in 2005, when the Senate passed the bipartisan Energy Policy Act, it passed by a considerable margin. It was 85 to 12. But we spent a full 2 weeks on the floor considering amendments at that time. We had earlier spent 2 weeks marking up the bill in committee. So what I would like to leave folks with is just the reminder that process really does matter. That is how strong bipartisan pieces of legislation are enacted.

When you forego that process, you don't do that hard work in committee and send an ever-changing bill directly to the floor via rule XIV and then fill the amendment tree, the legislation just doesn't work. It is bound to fail, and that is what we saw today.

A few months ago I came to the floor to advocate for cyber legislation and to express my concern that the all-or-nothing approach to cyber security could result in nothing. After today's vote, that is where we are. That is what we have. I do remain hopeful we can find a path forward on the cyber issue that will result in a truly bipartisan and effective—effective—piece of legislation that will help our Nation's critical infrastructure.

With that, Mr. President, I see my colleague from Louisiana is here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

#### EDUCATION REFORM

Ms. LANDRIEU. Mr. President, as Congress prepares to adjourn for the August State work period, nearly 50 million students are preparing to head back to approximately 100,000 elementary and secondary public schools across the country. What a great responsibility it is for us in Congress and our partners at the State and local levels to engage with parents and teachers to ensure that these 50 million students are well educated. When I travel back to Louisiana this month, I will be visiting students and schools throughout the State, from Lafayette to New Orleans to Bogalusa. I am looking forward to watching stimulating lessons, meeting enthusiastic students and teachers, and learning more about the successes and challenges of Louisiana's schools.

The National Center for Education Statistics estimates that \$544.3 billion will be spent in public education this upcoming school year. That is an estimated \$11,000 per student. Are we making the most of those dollars? In Congress, we perennially debate the amount of Federal funds we should invest in our public school students. We recognize that many of our States' education systems are underpreparing young people for the changing workforce and increasing global competition. Yet we cannot agree on the appropriate amounts to invest at the Federal level to ensure that all students receive the opportunity for an excellent education. All too often, the debate has been about "How much?" rather than about "How to get better results?" with existing resources.

Over the last several years, Federal, State, and local governments have taken helpful steps to change the way taxpayer dollars are invested to ensure that our limited resources are driven toward high-impact solutions in education. Mayors and governors across the country are increasingly using data and evidence to steer public dollars to more effectively address the educational needs of their communities and States. At the Federal level, innovation funds have been created to invest in and scale proven solutions. Some of these Federal programs, such as the Social Innovation Fund, Investing in Innovation, and the High-Quality Charter Schools Replication and Expansion Program, provide competitive grants to nonprofit organizations in order to grow promising, evidence-based solutions.

The Social Innovation Fund in particular focuses on three priority areas: economic opportunity, healthy futures, and youth development. Its unique Federal funding model requires all grantees and subgrantees to match Federal resources 1:1, thereby increasing the return on taxpayer dollars and strengthening local support. This program relies on outstanding existing grant-making "intermediaries" to se-

lect high-impact community organizations rather than building new government infrastructures. Additionally, it emphasizes rigorous evaluations of program results.

In my home State of Louisiana, the Social Innovation Fund recently provided the Capital Area United Way with \$2 million to replicate and expand effective early childhood development programs to increase school readiness among children in low-income and rural parishes within the Greater Baton Rouge area. We know that education does not begin in kindergarten, education begins in a child's earliest years of life. New Profit, Inc., received a Social Innovation Fund grant of \$15 million over 3 years to collaborate with innovative youth-focused, nonprofit organizations in helping young people navigate the increasingly complex path from high school to college and productive employment. The project will expand the reach of these nonprofits to improve the lives of nearly 8,000 young people in low-income communities throughout the country.

Another program investing in what works is the Investing in Innovation Fund, commonly known as the i3 Program. This program provides competitive grants to local school districts and nonprofit organizations with records of success to help them leverage public-private partnerships to implement education practices that have demonstrated positive impacts on student achievement. Since 2010, the U.S. Department of Education has awarded competitive i3 grants to 72 local school districts and nonprofit organizations in 26 States and Washington, DC.

I am proud that New Schools for New Orleans, in partnership with the Louisiana Recovery School District and Tennessee Achievement School District, received \$28 million in i3 funds in 2010 to significantly increase the number of high-quality charter schools in New Orleans and ultimately improve education outcomes for New Orleans' students. With these funds, New Schools for New Orleans is replicating Sci Academy, a high-performing charter high school that New Schools for New Orleans incubated four years ago. Sci Academy just graduated its first class of seniors—with 96 percent matriculating to 7-year colleges. Two new high schools modeled after Sci Academy will open this fall. With the i3 grant, New Schools for New Orleans is also funding the turnaround of a K-8 school, Craig Elementary School in the Tremé neighborhood. Dr. Doris Hicks, who runs the very successful Dr. Martin Luther King Charter School in the Lower Ninth Ward, will be overseeing the turnaround of Craig Elementary School, lending her expertise and community credibility to the effort.

The High-Quality Charter Schools Replication and Expansion Program provides competitive grants to successful nonprofit charter management organizations to allow them to increase enrollment at existing charter schools

or open one or more new charter schools based on their successful model. Both Rocketship Education out of California and KIPP, Knowledge is Power Program, out of Houston, TX, have received critical funds from this competition in order to expand their reach and serve more students. Both of these well-known and highly popular charter management organizations are opening and operating charter schools in Louisiana and other States across the United States.

On May 18, 2012, the Office of Management and Budget issued a "Memorandum to Heads of Executive Departments and Agencies" asking them to demonstrate the use of evidence throughout their fiscal year 2014 budget submissions. This is exactly the right kind of directive—one which taxpayers will be happy to hear. In particular, I am enthusiastic about the potential impact of the provisions in the memo that urge agencies to propose new types of evaluations and consider how evidence can be used in both formula and competitive grant-making programs.

For the Federal Government to make this shift toward requiring more evidence of impact and prioritizing the investment of taxpayer dollars in proven programs, I recognize that there are a number of challenges to address, including a lack of agreement about what constitutes "evidence" of impact; the difficulty of measuring certain kinds of interventions or their desired outcomes; the resources it takes to conduct the most rigorous evaluations; a concern that those communities most in need will be unable to compete and, therefore, fall further behind; and a concern that many well-intentioned organizations will lose public funding because they do not currently have the evidence necessary to prove their impact. These are very valid concerns, and I encourage the Office of Management and Budget and all Federal departments and agencies to address them through a thoughtful design of policy approaches.

I strongly encourage my colleagues in the Senate to visit a variety of public schools in their home States this month. Talk with students, parents, teachers, and school leaders. Learn more about their successes and challenges, and consider this question: What is truly working in education and how can the Federal Government be more strategic about investing in evidence-based solutions in our classrooms?

We need to be smarter about how we invest in education if we are going to close the achievement gap, prepare students for the 21st century workforce, and compete in the global arena. Joel Klein, Condoleezza Rice, and a Council on Foreign Relations-sponsored task force recently produced a report called "U.S. Education Reform and National Security." According to the report, "Educational failure puts the United States' future economic prosperity,

global position, and physical safety at risk. Leaving large swaths of the population unprepared also threatens to divide Americans and undermine the country's cohesion, confidence, and ability to serve as a global leader. . . . The United States will not be able to keep pace—much less lead—globally unless it moves to fix the problems it has allowed to fester for too long.”

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Michigan.

Ms. STABENOW. Mr. President, I thank the Senator from North Dakota for allowing me to take a few moments to speak when he was waiting his turn.

I wish to also say Senator HOEVEN has been a terrific member of our Agriculture Committee, coming in, in his first term, and has made a significant difference. He and our chairman of the Budget Committee, Senator CONRAD, have been terrific powerhouses, and they never let me forget that 90 percent of the land in North Dakota is farmland. I thank him for allowing me to take a moment.

#### AGRICULTURE AND THE DROUGHT

Ms. STABENOW. Mr. President, I am not sure the House has completed the vote yet on a partial disaster assistance program, but I am rising to urge colleagues in the House to join with us in passing the Agricultural Reform Food and Jobs Act, commonly known as the farm bill.

I wish to commend the chairman and ranking member in the House for doing what we did in Senate, which is to work together on a bipartisan basis. They worked very hard with their committee and reported out a bill. We have some differences with that bill, but they worked very hard together, and I know we can come to agreement on something that is a compromise between the House and the Senate. I commend them for doing that.

I am very concerned and very disappointed that the Speaker and the House leadership did not support their efforts to bring this to the floor in July. I was on the Agriculture Committee in the House. This is my fourth farm bill. I have never heard of a situation where there was a bipartisan farm bill reported out of committee and not taken up on the floor. It is very concerning. But nonetheless, I support the chairman and ranking member in the House and look forward to working with them to actually get this done.

My colleagues, of course, remember the long and intense debate we had on this bill, both in committee and on the floor, with more than 70 amendments. I wish to again greatly thank our majority leader for understanding the significance of this bill to the economy and to rural America and to jobs across the country. The majority leader and the Republican leader both allowed us the time to do that, and I very much appreciate that.

We passed the bill, as we all know, with an overwhelming bipartisan vote, 64 to 35. The Senate came together and

did what the Senate is supposed to do, and we worked very hard together to be able to get that done.

Especially given the drought and the disaster farmers are dealing with—not just drought but other disasters—it is critical the House follow our lead and both pass a comprehensive disaster assistance program but in the context of real reform and a 5-year farm bill.

The House Agriculture Committee passed their bill. I am anxious and I am, frankly, disappointed they did not have the support they needed to be able to bring it up, bring to the Senate, and put us in a situation where we are able to go to a formal conference committee, which I would like very much to do to resolve differences.

But we do intend to begin that process, speaking together, listening to each other, negotiating in the next few weeks to see if we can't come together informally, to be able to offer a compromise bill to the House and the Senate for consideration.

I wish to remind my colleagues that the farm bill is a jobs bill. Sixteen million people work in our country because of our agricultural economy and our food industry. We have the safest, most affordable food supply in the world. The bright spot is agriculture. Export surplus is in agriculture. We should be doing everything possible to support agriculture, our farmers, our ranchers, both in the short term for disaster assistance but also looking down the road on a 5-year farm bill.

Second, the farm bill expires on September 30, less than 2 months away. We need to get it done. We are racing against the clock right now.

We also know that this year our Nation is experiencing the worst drought in a generation. You turn on the news, and you see serious wildfires in Colorado, Nebraska, Utah, Oklahoma, Arizona, and Montana, among others. You look in Michigan and you see a fruit disaster that relates from warmth and then freeze. We have more than half of the counties in the United States that have been declared disaster areas not just because of drought, which is what the House has addressed partially, but because of weather disasters. That is 1,584 counties across the country, 82 of them in Michigan. We have only one county in Michigan that has not been declared a disaster area. Eighty percent of the country is now experiencing abnormally dry, moderate, or extreme drought, 22 percent of the country is facing extreme doubt, and so on.

As an emergency measure, USDA has opened 3.2 acres of conservation land for grazing and haying, but we know there is a lot more to be done. That is what I want to speak about because when we look at this, all the disasters—and we understand we have to address drought. We have to address what is happening to livestock. I am very proud of what we have done in the Senate, what we passed, which is a stronger Livestock Disaster Assistance Program. It is permanent—not just for a

couple of months, it is permanent. But we also understood that there are other kinds of disasters. For those fruit growers and cherry growers in Michigan who have no access to crop insurance—it is not available to them—we made sure there was support for them. For apple growers, for sweet cherries, for juice grapes, for others across the country, we have put in place provisions in the Senate bill.

Frankly, I believe we need to do more and can do more as we look at how this has developed. We need to have the next few weeks to fully look at all that has happened, whether it is livestock in the drought, whether it is wildfires, whether it is what is happening to fruit growers, and put together a comprehensive effort in the context of passing a 5-year farm bill.

But when we look at all this, these are the disaster areas, but most of Michigan is not helped by what the House is doing because it does not include the efforts to help those who currently do not have crop insurance, the fruit growers. Michigan is not helped. The Northeast, again, with fruit, or Florida with fruit, or out West, whether it is California or Oregon or in this whole area—not helped by what the House is doing. I appreciate the first step, and I certainly understand that the agriculture leadership in the House is trying to do whatever they can to take a step, and I commend them for that. But it does not cover this. It covers a good share, but it does not cover every kind of disaster we have before us. And frankly, it doesn't cover disasters waiting to happen because of inaction on a 5-year farm bill.

Let me go through the differences right now between what the House and the Senate have done. We passed a comprehensive 5-year farm bill as well as a comprehensive disaster assistance bill. I will underscore again that I believe that after looking through the next few weeks and looking at everything that has happened, we ought to be looking at what else we can do—not less, as the House did, but potentially more.

Both the House and the Senate have extended the livestock disaster program to 2012. We extend it permanently.

On tree assistance, if you lose the entire tree in an orchard, you are helped—not if you just lose the food, like most of our growers, but the entire tree. These things are the same, so we have sort of disaster-lite up here.

Then, in the Senate bill, we increase payments for livestock producers facing severe drought, so we actually have a stronger payment system and safety net for our livestock producers.

As I said before, we help fruit growers impacted by frost and freeze. We create new crop insurance options so that, going forward, we don't have to be back here every year because we strengthen crop insurance and create opportunities for fruit growers who do not have insurance now to be able to

have crop insurance—which, by the way, producers pay into, and there is no payout unless you have a loss.

We also address urgently needed dairy reforms to save dairies from bankruptcy. In 2009, under the current dairy policy, we lost farms across the country. If we do not act in a 5-year farm bill, in the area of dairy, of milk producers, it is a disaster waiting to happen. So we need to have a comprehensive farm bill that deals with dairy reforms because that is part of avoiding the next disaster.

There is permanent funding, as I said, for livestock disaster assistance and conservation efforts to prevent another dust bowl. One of the reasons we don't have a dust Bowl in many areas where the drought has been horrible, just horrible, is because of conservation efforts that we put in place that have worked. We need to strengthen those.

We give the Forest Service tools to protect and improve forest health and deal with another disaster not dealt with here, which is forest fires all across the country.

We improve crop insurance to protect against disasters, and finally, we provide farmers and ranchers with long-term certainty. They want to know going forward not only what help they will receive this year—and they need it, and we will make sure that happens—but they want to make sure going forward that they have long-term certainty.

I appreciate in my own home State that the commodity growers are very concerned—strongly supportive of the Senate bill, want to support the Senate disaster assistance efforts. In fact, the Michigan Farm Bureau came out today opposing what the House is doing because, from a Michigan perspective, it just doesn't cut it. It is just not enough.

We have gone through efforts that, in fact, will allow us to solve the problem long term and to also address the short term. What we need, after hearing from farmers and ranchers across the country, is a bipartisan farm bill that gives producers long-term certainty so they can make business decisions without worrying about risk-management provisions that are going to expire on September 30—which, by the way, is just 58 days away.

I would like all my colleagues to know that we have really a dual strategy right now, knowing how important this issue is all across the country to rural America and really to everybody—everybody who eats. I think that is everybody. We all have a stake in having a strong agricultural policy, nutrition policy, conservation policy that maintains our position as the world leader in access to safe, affordable food. With or without official conferees and so on, it is our intent to have conversations to see if we might come together on something that would bridge the differences between House and Senate agricultural perspectives.

We know there are things we need to work on together. We are proud of the fact that we passed a farm bill on a strong bipartisan basis, but we understand we need to work with our colleagues and listen. It is our goal to do one of two things: to either have the opportunity to come together in September and offer something that would be a compromise with the House and the Senate that we could offer and look for an opportunity to pass—that is the best thing. It includes comprehensive disaster assistance as part of that. That is far and away what we are hearing from farm country and what we are hearing from those across the country whose livelihood depends on agricultural production in the food economy.

If for some reason we are not able to succeed, we need to assess all of what has to happen in the next 4 weeks and come back together and do what we need to do in September to pass a very strong, comprehensive disaster assistance program—not just for livestock, as important as that is, but for all of our communities in every State where there has, in fact, been a disaster.

We will work with colleagues. We will be offering a bipartisan effort. I am extremely hopeful that we can come together around what really needs to get done, which is a 5-year farm bill. If not, we certainly will make sure that in September we have the opportunity to work together.

As I close, let me just indicate the reason—what happens if we do not do the whole farm bill. We lose deficit reduction. The only thing we voted on in a bipartisan way with deficit reduction, we passed here together. I see colleagues of mine who played a tremendous role in this. The former head of the Department of Agriculture, the Secretary of Agriculture from Nebraska, the distinguished Senator from South Dakota—North Dakota—we did this on a bipartisan basis, \$23 billion deficit reduction. We repealed subsidies that we all agreed from a taxpayers perspective we should not be doing anymore. We made some difficult decisions on that. We want to make sure we support farmers for what they grow but not give a payment for what they don't grow. And the number of reforms we did around payment limits and other things, including going through every part of this bill and doing what everybody says we ought to do, some of which is look for duplication, what doesn't work, what ought to be eliminated—and we actually eliminated more than 100 programs and authorizations.

If we don't do a real farm bill, all of this goes away. I suppose you can say the folks who do not want reform would be trying to stop us from passing a 5-year farm bill—certainly the Senate bill—people who do not want reform, people who would like to keep status quo and would like to continue with a system that has not worked for many growers and ranchers. We in the Senate have come together, and we think that is not the right way to go.

I am committed to working with my colleague, the ranking member from Kansas, who I know cares deeply as well about what is happening to livestock producers in his State. We have talked. I know how committed he is to making sure we have the right help to be able to support them. We are committed to doing that. But let's not do half a disaster assistance bill. Let's not do something short term that is less than what producers across the country are counting on us to do. They have sent a loud message. They want us to get it done. There is no reason we cannot. We did it here in the Senate. I believe that if we work in good faith, if we listen to each other, if we trust each other, we can get the whole thing done in September and have, really, something to celebrate and to offer to all of those in rural America, all of those who count on us, every one of the 16 million people who have a job because of agriculture and our food industry.

Mr. President, I yield the floor. My colleague from North Dakota has been extremely patient, and I am very much appreciative of his willingness to allow me to speak.

Mr. HOEVEN. I thank the Senator from Michigan, and actually I am going to yield to the good Senator from South Dakota. I know he has a commitment. He will be brief, so I yield to my colleague from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

#### EUROPEAN UNION EMISSIONS TRADING SCHEME PROHIBITION ACT

Mr. THUNE. I know it is very confusing, and I thank my colleague from North Dakota for yielding to his colleague from the South.

I hoped to come down and to ask unanimous consent to pass S. 1956 with a committee-reported amendment. My understanding is there is an objection on the other side. I am disappointed about that. I had hoped we would be able to get unanimous consent today to pass what is a very bipartisan bill. It is the European Union Emissions Trading Scheme Prohibition Act. It is a bill that passed by voice vote earlier this week from the Commerce Committee, and a similar measure was passed earlier this year in the House of Representatives by a voice vote. The aviation industry, the administration, consumers, the U.S. Chamber of Commerce, just about everyone believes that the EU must be reined in and it must happen quickly.

In fact, just this week at the Commerce Committee markup Senator BOXER, who is the chairwoman of the Environmental and Public Works Committee, and also a member of the Commerce Committee, said, referring to my bill:

I think moving it fast is critical because I think it will send a message to the international organization we are trying to nudge forward and know this is the way this is going to be dealt with.

I could not agree more. In 2005, the European Union began their emissions

trading scheme which attempts to cap emissions of carbon dioxide from stationary sources within the European Union. Starting in 2012, in January of this year, aviation operators departing from or landing in Europe began to be included in this emissions scheme. Under this program, any airline, including non-European airlines, flying into and out of Europe will be required to pay for EU emissions allowances. Allowances will be collected for the entirety of the flight including portions in U.S. and international airspace.

This is a great example of this unfair application that is happening right now. We have Olympic athletes flying to and from the London games by air. One such Olympian is from my home State of South Dakota, Paige McPherson, and she is competing in Taekwondo next week. She arrived in London last week and the final leg took her from Newark Airport to Heathrow Airport. During this flight, approximately 555 miles of the 3,500 miles flown, or 16 percent, was actually in EU airspace, but her flight was taxed as if 100 percent of it was in EU airspace. Obviously, this unilateral imposition of the EU ETS on U.S. aviation operators is arbitrary, unfair, and a clear violation of international law. Plus it is being done without any guarantee for environmental improvements and at a huge cost to the aviation industry and constituents we serve.

Let me be clear that no one in Congress is against the EU implementing this European trading scheme within their boundaries. That is obviously their prerogative; that is their jurisdiction. However, I believe any system that includes international and other non-EU airspace must be addressed through the International Civil Aviation Organization, known as ICAO, of which the United States and 190 countries, including all of the EU member states, are members. That is why I introduced this simple bipartisan bill. It gives the Secretary of Transportation the authority to take the necessary steps to ensure America's aviation operators are not penalized by any system unilaterally imposed by the European Union.

The bill also requires the Secretary of Transportation, the Administrator of the FAA, and other senior U.S. officials to use their authority to conduct international negotiations and take other actions necessary to ensure that U.S. operators are held harmless from the actions of the European Union.

It is time for the Senate to join the House of Representatives and the administration in voicing our strong opposition to application of the European Union's emission trading scheme system to American operators. I am sorry that it couldn't be done today because, as I said, this was unanimously reported out of the Commerce Committee earlier this week. We have broad bipartisan support. Democrats and Republicans agree this is an issue that needs to be addressed.

Frankly, it is one that I think could be addressed in a very timely way. The longer we wait, the longer we have American air carriers and therefore American travelers paying into a system where is no guarantee it is going to be used for any kind of environmental improvements in Europe. It is, in effect, a tax on American travelers that would fund European governments. If we want to put it in a crass way, we could say that the American public is being taxed to bail out European nations. That is as simply as I can put this. It is a violation of international law; it is a violation of American sovereignty. It is unfair, unjust, and an illegal tax. It needs to be stopped. This legislation would allow that to happen.

It is unfortunate that we have an objection on the other side to prevent that from happening tonight. I intend to work with my colleagues to get a vote on this when we return in September.

I want to thank my colleague from North Dakota for his graciousness in allowing me to make that statement.

I yield the floor.

Mr. BLUNT. Mr. President, does the Senator from North Dakota have the floor?

Mr. HOEVEN. Mr. President, I rise on another issue, but I yield at least temporarily to see what the good Senator from Missouri has to say.

The PRESIDING OFFICER. The Senator from Missouri.

#### AGRICULTURE DISASTER

Mr. BLUNT. Mr. President, I am concerned that we are going to go home without an agriculture disaster bill farm families can rely on. This disaster is real. The disaster programs for livestock ran out a year ago, September 30 of last year. We have a chance to do something about that, and I wish to see us do something about that.

The idea that we would decide we could put this off another month, that we can put those families in jeopardy for another month not knowing what their solution seems to me is totally unacceptable.

I will yield the floor to my friend from North Dakota, but I intend to do everything that I can to see we solve this problem with a real solution, not just another Washington excuse as to why we can't do what needs to be done.

The Agriculture industry is a key economic driver for our country, supporting approximately 16 million jobs nationwide. The families that own and run these farms and ranches represent less than 2 percent of America's population, but they raise enough food and fiber to feed the nation. These producers have been greatly impacted by the worst and widest reaching drought to grip the United States in decades, which continues to get worse with no signs of slowing down as we head into one of the warmest months of the year.

On Wednesday the USDA added 218 counties from 12 drought-stricken States to its list of natural disaster

areas—bringing the overall total to 1,584 counties in 32 States. That's more than half of all U.S. counties. As of the end of last month, the entire State of Missouri was designated a State of severe to exceptional drought—the worst level of drought possible.

For a State like Missouri, which is heavily reliant on agriculture revenue, this drought has been devastating. Missouri has more than 100,000 individual farms—the second highest number of farms of any state in the nation. Missouri also ranks No. 2 in the Nation in cow calf operations.

Nationwide, 48 percent of our corn crop is now in poor to very poor condition, compared to 45 percent one week ago. Last year, only 14 percent was poor to very poor, while 62 percent was rated good to excellent. Among the hardest hit States, Missouri tops this list with 83 percent of our corn crop rated at poor to very poor. Based off the most recent data, approximately 73 percent of the domestic cattle inventory in the country is within an area experiencing drought. Meanwhile, 57 percent of American pasture and rangeland is in poor to very poor condition this week, compared to 55 percent last week and 36 percent a year ago.

I have talked to many livestock producers who are being forced to decide whether to continue to feed their livestock or whether to liquidate otherwise productive livestock and dairy herds. For the few that have been able to put up hay, they are already taking it back out of the barn to feed—well before the normal feeding time in the winter months. A dairy producer and good friend of mine, Larry Purdom, said just the other day: "Some are just giving up. Yesterday I saw three dairy herds sell out at the Springfield livestock auction and two more herds were ready to go. I think we could lose up to a third of our dairy cow numbers in Missouri."

Undoubtedly, the best solution to assist our farmers and ranchers would be for Congress to pass a long term farm bill that includes funding for these disaster programs. I voted for the Senate farm bill, and I still believe we need a long-term bill to provide certainty to our producers. Many of these disaster programs have lapsed, leaving American producers with very few options to make it through this drought. While USDA has granted a primary disaster designation to every county in Missouri, qualifying them for emergency loan—this only gets our producers so far. It's time we step up and take further action. We have an obligation to our nation's producers to act immediately.

The House has passed and sent us a targeted disaster aid bill. This bill is fully offset, and it immediately helps those farmers and ranchers who are facing the worst drought in decades. But instead of moving forward and providing our producers with the assistance they need, the majority has decided to play politics with drought relief.



Now, the Democrats want to send the House the same bill that has already passed Senate, with no immediate disaster assistance attached. As we head into the August work period with no sign of relief in sight, it is unacceptable for the Majority to stand in the way of helping our producers.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I wish to thank my esteemed colleague, the Senator from Missouri. I appreciate working with him on many issues, including agriculture, and I share his concern.

I have been on the floor of the Senate this week and past weeks, expressing my desire to pass a farm bill, including agriculture assistance. I believe we can do that. We passed a farm bill here in the Senate. The Agriculture Committee has come forward with a product. We absolutely need to come together, House and Senate, on the farm bill for the good of our farmers and ranchers, including drought assistance and for the good of the country.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 3512 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HOEVEN. Thank you, 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.

The PRESIDING OFFICER. The Senator from Alabama.

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

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

#### TERRORIST DETAINMENT

Mr. SESSIONS. Mr. President, it was reported today that Iraq has denied the request of the United States to extradite senior Hezbollah field commander and confessed terrorist Ali Mussa Daqduq, who was recently ordered released by the Iraqi court after our government turned him over to Iraqi custody when our troops left the country.

The administration had years to transfer Daqduq to our detention facility at Guantanamo Bay, but because the President seemed to lack the political will to do so—I think because of campaign promises he improbably made—one of the most dangerous, reprehensible terrorists ever in our custody will likely be allowed to go free. We should never have been in this position.

I and others saw this coming and we pleaded with the administration not to allow it to happen. Sadly, our warnings fell on deaf ears and, sadly, we were proven correct. Daqduq is responsible for the torture and murder of five American servicemen in Karbala, Iraq, including PVT Jonathan Millican of Locust Fork, AL, who was posthumously awarded the Silver Star for

gallantry in action as he attempted to protect his comrades from Daqduq's terrorist actions outside the rules of war. Daqduq and his followers wore American uniforms—an action that he directed. His actions were clearly against the laws of war and he can be held not only as a prisoner of war but as a violator of the rules of war and can be tried and should have been tried before an American military commission.

When U.S. forces captured Daqduq, then the most senior Hezbollah figure in U.S. custody, he provided detailed testimony about the support and training provided by Iran to Iraqi insurgents and admitted to violating the laws of war. He is not a criminal defendant. He is not a member of an organized crime syndicate or some drug dealer. He is a confessed terrorist who committed atrocities against American soldiers during a war duly authorized by Congress. That makes him an unlawful enemy combatant who may be detained until the conclusion of the war or subjected to trial by a military commission. He could be imprisoned for up to life or he could be executed.

Once the military determined he was no longer of use for intelligence purposes when he was in Iraq, he should have been brought to Guantanamo Bay. That was the perfect place for him to be detained. This should have been an open-and-shut case. But President Obama and Attorney General Holder have obstinately clung to the failed law enforcement approach to counterterrorism. They just have. It has been a dispute all the way through the campaign and since they took office. They believe in treating foreign enemy combatants as normal criminal defendants entitled to U.S. constitutional protections and civilian trials. This is contrary to history and contrary to the laws of war. It is contrary to our treaty obligations. Other nations don't do this.

The problem began when, upon taking office, the President decided to ban any new additions to the prisoner population at Guantanamo Bay. We remember that. He didn't like Guantanamo Bay. He thought that was some bad place. So if he transferred Daqduq, or anyone else, for that matter, to Gitmo, he would anger certain of his supporters and violate some of his improbable campaign promises, one of which was to the effect that Gitmo was a cause of terrorism, not a way to prevent terrorism and prevent terrorists from murdering innocent civilians and attacking our military.

So when the report surfaced that the administration planned to transfer Daqduq to the United States for a civilian trial—that was the first report, that he would be brought here for a civilian trial—my colleagues and I wrote to the Attorney General urging him to reconsider and try him before a military commission. For a time, the Attorney General appeared to have relented. But a few months later, it was

reported that instead of transferring him to Gitmo, the administration decided to release Daqduq to Iraqi custody.

This time, we wrote to Secretary of Defense Panetta asking him to reconsider that decision. We warned that the Iraqi Government previously had released terrorists who later returned to the battlefield to kill American servicemen. Yet as the deadline for the United States withdrawal from Iraq approached, it became clear the President had no intention of removing Daqduq from Iraq.

The President then struck a deal with Prime Minister al-Maliki to charge Daqduq before an Iraqi criminal court for his acts of terrorism, forgery, and illegal entry, and other offenses.

Now the Iraqi court has had a trial and ordered him released, in spite of the volume of evidence turned over by the United States to be used in the trial, including his uncoerced confessions detailing his role in training the insurgents and his role in the Karbala massacre that I referred to. It appears that it is only a matter of time before he will now be set free.

Recent press reports indicate that the Iraqi authorities are trying to find a way to release Daqduq without angering the White House or embarrassing the President ahead of the election. Well, no one should be surprised that Iraq will not turn him over. We were concerned from the beginning that this would happen.

The administration knew well before it handed over Daqduq that its decision was an abdication of its responsibility to prosecute a terrorist for war crimes against American soldiers—the murder of American soldiers. The administration knew if the Iraqi courts failed to bring him to justice, we may never get a second chance. That was known. And they knew that Iraq would not agree to an extradition request. That has been their policy. So the fact of the matter is we wouldn't be in this position if we had prosecuted Daqduq when we had the opportunity. But now, not only is justice perverted, but he could be returned to the battlefield to kill more Americans, Iraqis, and others.

Unfortunately, Daqduq was not the first, nor will he be the last, example of this administration's unwillingness to confront dangerous terrorists effectively and to process them effectively.

In July of 2009, Senator JON KYL and I wrote President Obama urging him to adhere to this Nation's longstanding policy of not negotiating with terrorists and not to release the Khazali brothers—two of the top Iraqi terrorists trained by Daqduq who were complicit in the Karbala massacre in 2009; but they went forward—in exchange for the release of British hostages held by the terrorist organization called the League of the Righteous.

President Obama authorized the Khazalis' release as part of what the Iraqi Government called its "reconciliation efforts" with insurgent groups.

But in reality, this release was a thinly veiled ploy to use Iraq as a middleman in a terrorist-for-hostage exchange in direct violation of President Reagan's policy not to negotiate with terrorists. In fact, there was an Executive order he issued to that effect.

When Iraq released the Khazalis to the League of the Righteous, the terrorist group responded by releasing five British hostages, but, sadly, four of them had already been executed. Qais Khazali immediately, upon his release, resumed his position as leader of the terrorist group and orchestrated the kidnapping of a U.S. civilian contractor in Baghdad less than a month after his release, and Abdul Reza Shahlai, an Iranian Quds Force officer now in Iraq—the Quds Force is one of the most loyal and vicious parts of the Iranian regime—helped Khazali and Daqduq plan the Karbala massacre and helped coordinate the attempt to assassinate the Saudi Arabian Ambassador to the United States on U.S. soil. Do you remember that? That is the same guy.

Despite this alarming track record and the obvious lessons to be learned from its previous mistakes, the administration recently insisted on engaging in negotiations with the Taliban to release five terrorist detainees from Guantanamo Bay—detainees who were categorized previously as “too dangerous to transfer” by the administration's own Guantanamo Review Task Force—and they were to be released in exchange for the Taliban's promise in Afghanistan to “begin” talks with the Afghan Government.

Negotiating, I suggest, with terrorists is not a profitable enterprise, and in effect that is what that was. Three of the five have ties to al-Qaida. Another met with Iranian officials on behalf of the Taliban immediately following 9/11 to discuss Iran's offer of weapons and support to attack U.S. forces in Afghanistan. Another detainee then under consideration, Mohammad Fazl, is a close friend of the supreme Taliban commander, Mullah Omar, who is accused of killing thousands of Afghan Shiites, and who was responsible for the prison revolt that claimed the life of CIA Officer Johnny Michael Spann, the first American killed in Afghanistan and, incidentally, another brave Alabamian.

As time has passed, it has become clear that the policy of not negotiating with terrorists is sound and essential, and the administration's actions in violation of that policy have failed and they are dangerous.

Indeed, the administration's failed terrorist detention policies appear to have led to a policy that favors killing rather than capture and interrogation of enemy combatants. It is an odd event, but it does appear to have some truth to it.

So today we face a situation in Afghanistan that is similar to that which we faced in Iraq in 2009. Parwan Prison currently houses roughly 2,000 to 3,000

individuals, including high-value detainees.

In August 2011, the Washington Post—last August—reported:

U.S. officials say that giving Afghans control over the fates of suspected insurgents would allow dangerous Taliban fighters to slip through the cracks of an undeveloped legal system.

I will tell you what that means. It means they will not be able to keep them in those jails. History shows that. They will get their way out of there—through violence, through bribery, through threats, or some other mechanism, and that is what is continuing to happen. It is a big concern of the military. As a Federal prosecutor, who observed this particular issue over the years in Iraq and Afghanistan, it has been a source of concern to me.

In March of this year, the administration agreed to a gradual transfer of control of the prison to the Afghan Government over a period of 6 months, with the United States holding veto power over the release of certain prisoners. However, the Washington Post reported in May—just May of this year—that the administration has been secretly releasing high-value detainees held in Afghanistan in exchange for certain “promises of support” from leaders of insurgent groups.

Now, how long do you think that will last? Once we release the prisoner, they are out, but the promises by some Taliban or some terrorists are not going to be honored. Not only do some of these prisoners have ties to Iran or al-Qaida and other terrorist organizations that continue to attack our troops, but their release is not even conditioned on them severing their contact with the insurgent groups.

According to the Washington Post, the administration has approved these releases in part because they do not require congressional approval. That is what they report. It also has been reported that the administration is attempting to repatriate some of the 50 most dangerous militants over which the United States currently retains custody to Pakistan and other Arab countries—this in the face of reports from the Director of National Intelligence that nearly 28 percent of former Gitmo detainees are either confirmed or suspected to have returned to the battlefield to attack America and our allies. That is 28 percent. How many are doing so and we have not yet proven that they have been in the game? I suspect many more than that 28 percent.

So the question inevitably arises: When American detention operations in Afghanistan come to an end, where will the administration take those 50 or so dangerous prisoners, assuming it has not already negotiated with other insurgent groups for their release? If they are not going to release them, what are they going to do with them?

Once again, the administration has kicked the can down the road, just as it did in Iraq, which eventually culminated in the Daqduq mess.

The country cannot afford to continue down this dangerous path, especially in light of the impending withdrawal of our troops from Afghanistan and the administration's agreement to transfer detainees in U.S. custody to the Kabul Government. The same unacceptable result will surely occur.

The President is the Commander in Chief. He has serious responsibilities, and one is to defend the honor, the dignity, and the credibility of the United States. I do not believe we are doing so when we are dealing with terrorists who double-cross us at every turn. He has a duty to those magnificent troops who have answered his call to go into harm's way to execute U.S. policy.

Part of that duty is not to give away what they have fought and bled for, not to give it away after they fought and bled for it, and captured these people. That includes not giving up prisoners whom these soldiers, at great risk and effort, have captured—terrorists who seek to destroy what we have, terrorists we have worked so hard to capture, terrorists who may return to kill more Americans and more Afghans.

This policy cannot be defended. It has to end. So I urge the President and his team to act forcefully now. It may not be too late. With strong action we may be able to ensure that Daqduq is not released, that he is able to be tried for the murders he committed and the American soldiers he killed.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

#### GEORGIA PEANUT COMMISSION ANNIVERSARY

Mr. CHAMBLISS. Mr. President, I rise to commemorate the 50th anniversary of the Georgia Peanut Commission. In 1961, Georgia peanut farmers came together to form a commission that would promote their industry, perform research, educate the community, and conduct outreach around the State. Thus, the Georgia Peanut Commission was born.

We have come a long ways since 1961. As we celebrate this 50th anniversary, it is important to note that Georgia peanut farmers in 1961 harvested 475,000 acres of peanuts with an average yield of 1,200 pounds per acre. But thanks to the evolution of technology and techniques and the hard work and the innovation of Georgia's peanut farmers, farmers in 2011 in Georgia harvested the same amount of land with a yield of more than 3,500 pounds per acre.



Agricultural producers face a combination of challenges, including unpredictable weather and market volatility that determine profit or loss in any given year. Through the Georgia Peanut Commission, Georgia peanut farmers have persevered through the hardships. Georgia leads the Nation in peanut production, producing nearly 50 percent of our Nation's annual crop.

Anyone who has ever stopped by a congressional office on Capitol Hill and taste-tested the complimentary peanuts we offer can thank the Georgia Peanut Commission. Those little red bags are recognized by hungry constituents and staffers alike as a symbol of Georgia agriculture.

Annually, the commission distributes 2 million of those little red bags. The peanut industry is vital to Georgia's economy, contributing some \$2 billion annually, and creating nearly 50,000 jobs across the sector. In the past 50 years, peanut farmers with the help of the commission have reduced production costs through research and have worked to stimulate and increase consumption.

Last year, the Georgia Peanut Commission broke ground at the site for its new headquarters in Tifton, GA, which will be the first net-zero energy building affiliated with State government in Georgia. There are many changes happening in rural America. The facade of these rural towns may look different year after year, but the challenges confronting our small towns and communities have not changed. The Georgia Peanut Commission has been critical to the foundation of not just rural Georgia but our entire State's economy.

I am proud to recognize the work the Georgia Peanut Commission has done for our State and congratulations to them on their 50th anniversary.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 6079

Mr. MCCONNELL. Mr. President, earlier this week, the majority leader and a number of his colleagues took to the floor to defend the President's health care law and to tout provisions they believed to be popular with the public. What they didn't do was allow a vote on the entirety of the bill, which proves to be even more of a disaster with each passing day and which the majority of Americans continue to vigorously oppose.

Put another way, Senate Democrats spent nearly an entire day talking about parts—parts—of ObamaCare that polled well but refused to spend 15 minutes being caught on camera voting to uphold the entire law. What are they

afraid of? Why will they not allow a vote?

When the health care bill was working its way through Congress, you will recall, former Speaker of the House PELOSI famously said: We need to pass the bill to find out what is in it. Now that we have had some time to study its consequences, I can't think of any reason why Senators wouldn't want to stand and be counted with a vote on the floor either for or against repeal.

Does ObamaCare get a passing grade or not? That is all I asked for on Tuesday, a vote to either reaffirm or repudiate the votes we all took on ObamaCare based on everything we know about it now that we didn't know back then.

It has been clear, in my view, that the Democratic health care law is making things worse and should be repealed in full. A week doesn't seem to pass that we don't learn about some problem this law creates or doesn't solve.

There is a headline in the Wall Street Journal today: "Small Firms See Pain in Health Law." And just yesterday we learned it will increase Federal spending and subsidies on health care by \$580 billion, which means even after you count the more than \$700 billion it takes out of Medicare, it still increases Federal health spending and subsidies by more than one-half of \$1 trillion.

So let's have a vote. Let's have a vote: Is ObamaCare making things better or worse? Let's show the American people where we stand. It is what the American people want. It is a vote they deserve.

When my friends on the other side are represented on the floor, I will ask consent for a vote that would follow the completion of cyber security, so I will defer on asking that consent until the majority leader or one of his representatives comes to the floor.

Mr. President, 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. MCCONNELL. 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. MCCONNELL. Mr. President, I would say to my friend, the majority leader, I have already made some comments about why I will be propounding the consent agreement I now propound with him here on the floor.

I ask unanimous consent that immediately following the disposition of the pending cyber security bill, but no later than September 28, the Senate proceed to the consideration of Calendar No. 451, H.R. 6079, an act to repeal the President's health care bill or the so-called ObamaCare; further, that there be 1 hour of debate on the bill, no amendments be in order to the measure, and following that debate the bill be read a third time and the Senate proceed to the vote on passage, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, there is no other way to say this than my Republican friends are hopelessly stuck in the past. They continue to want to fight battles that are already over.

At the beginning of this Congress, when we were trying to pass an air transportation bill, the Republican leader offered an amendment to repeal the Affordable Care Act. On February 2 of last year, the Senate voted that amendment down. It was defeated.

In March of this year, when we considered the highway jobs bill, Republicans insisted on voting on stopping women from getting contraceptive coverage—part of the Affordable Care Act. On March 1, the Senate voted that amendment down.

Just this week, when we have been considering a bill to protect our country from cyber attack, the Republican leader gave notice that he wanted once again to offer an amendment to repeal the Affordable Care Act. Remember, the House has already voted 34 times to repeal the Affordable Care Act. I repeat, they are hopelessly stuck in the past.

They are stuck in the past when before the Affordable Care Act, insurance companies didn't have to pay for preventive care. They are stuck in the past when before the Affordable Care Act, there was a gap in coverage for seniors' prescription drugs. That is the doughnut hole that we are filling. Republicans are stuck in the past when before the Affordable Care Act passed, insurance companies didn't have to allow young adults up to age 26 to stay on their parents' health insurance.

I have spoken here at least a half a dozen times about my friend from Searchlight, NV, who, at 22 years old, went off his parents' insurance. The time ran out. Within weeks, he was diagnosed with testicular cancer. It about broke his parents. He had no insurance and had two surgeries. That will not happen in the future. This young man was in college. That is what this is to protect.

They are stuck in the past when before this act passed, insurance companies could deny coverage to people because of preexisting conditions. And, by the way, one of those conditions was being a woman; or diabetes; or if a woman had been a victim of domestic abuse. They are stuck in the past when insurance companies could charge women more than men. Republicans are stuck in the past when women didn't have access to the services they need. They are stuck in the past when insurance companies could drop your coverage when you got sick or set some arbitrary limit on how much insurance would pay.

I have talked about a man in Las Vegas who was badly injured, living a pretty decent life even though he was paralyzed—and suddenly he finds he has no insurance, which led him into an awful situation.

Republicans are stuck in the past when insurance companies could use premium dollars for bonuses for the bosses rather than health care. All around America this month there will be hundreds of thousands of people who will be getting a rebate because insurance companies weren't spending enough money on them but, rather, on their own salaries. We set a limit: You have to spend 80 percent of a premium to help people get well. They are stuck in the past and they want to return to when insurance companies were king. They are hopelessly stuck in the past.

But there was a vote that we should all focus on, on the Affordable Care Act. It was a 5-4 vote that upheld that bill. The Supreme Court of the United States did that. But I guess they didn't get the news. The Supreme Court ruled the act is constitutional. It is the law of the land now.

We need to move on. They need to catch up on the fact that people want us to work to create jobs, whether it is in Alaska, Nevada, Kentucky—any of the States. But they want us to vote on repealing the Affordable Care Act.

On July 19, they blocked us from voting on a bill to prevent outsourcing jobs—which, by the way, their Presidential nominee is very good at doing. Now they want us to vote on repealing the Affordable Care Act.

On July 12, they blocked passage of the small business jobs bill that would have helped small businesses all over this country. They wanted to vote on repealing the Affordable Care Act.

But on March 29, they blocked a bill to promote renewable energy.

On March 13, they blocked Senator STABENOW's amendment to extend expiring energy tax credits.

They wanted to vote on the Affordable Care Act, and they stopped us from proceeding to put workers back on the job building and modernizing America, and that was done on November 3.

On October 20, they blocked the motion to proceed to a bill to keep teachers and first responders on the job.

They so badly want to go back and fight these old battles that they blocked a motion to proceed to the American Jobs Act.

They blocked us on a bill to reauthorize the Economic Development Administration, something that has been done as a matter of fact in the past, creating thousands of jobs in America. They wanted us to vote on repealing the Affordable Care Act.

One day last year, after weeks of debate, they blocked the bill to improve small business innovation. That, by the way, is one of the programs that has done so many interesting things, including inventing the electric toothbrush.

Republicans are hopelessly stuck in the past. They need to stop trying to repeal a law enacted 3 years ago. The Supreme Court has declared it constitutional. Let's move on to try to get jobs for people.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, 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. 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.

Mr. REID. Mr. President, I believe we are now on a motion to proceed to S. 3457; is that correct?

The PRESIDING OFFICER. That is correct.

#### CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, John F. Kerry, Bernard Sanders, Kent Conrad, Al Franken, Tom Udall, Christopher A. Coons, Mark Begich, Patty Murray, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Robert Menendez, Jim Webb, Kirsten E. Gillibrand, Jeff Merkley, Jack Reed.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived and that the vote with respect to this motion occur at 2:15 on Tuesday, September 11.

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

Mr. ROCKEFELLER. Mr. President, I would like to thank Chairman MURRAY for her work on the Veterans Jobs Corps Act.

The unemployment rate for our young, returning veterans is higher than that national average, and this is a travesty. This important bill would invest \$1 billion in creating a Veterans Jobs Corps to help our veterans transition into civilian life and get job placements in important areas of law enforcement, first responders positions, or positions in parks and forests involving restoration and protection of our public lands.

The bill makes other strategic investments to improve our infrastructure to help veterans with their job search. Veterans deserve access to Internet at one-stop job centers, as well as qualified outreach specialists to help disabled veterans seek employment. It is designed to help ensure that veterans get the credit they deserve for their training and military experiences when they seek civilian certification and licenses.

I would also like thank Leader REID and Chairman MURRAY and their staffs

for working with me to find an acceptable offset for this legislation, which would have had an impact on the National Energy Technology Laboratory, NETL, located in West Virginia. NETL does critically important research on improving the safety and environmental sustainability of offshore oil and gas development and importantly for my State they are working on identifying measures that can be taken to reduce the environmental impact and improve the safety of shale gas production. I am pleased that we will be able to switch out the objectionable offset and move this bill forward quickly as soon as we return from recess.

#### MORNING BUSINESS

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

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

#### DISABILITIES CONVENTION

Mr. REID. Mr. President, the Disabilities Convention enjoys strong bipartisan support in the Senate, with Senators McCAIN, DURBIN, KERRY, BARASSO, COONS, TOM UDALL, MORAN, and HARKIN leading the charge to ratify the Convention. With their help, I hope we will be able to move this treaty forward in the future.

Twenty-two years ago, Congress passed the Americans with Disabilities Act to lift the barriers Americans with disabilities faced in everyday life. And ever since the passage of that law, the United States has been a leader in expanding disability rights across the globe.

We have led, other countries have followed, and persons with disabilities have found ever greater opportunities to succeed. Now we are presented with an opportunity to strengthen our leadership on disability rights around the world by joining the Convention on the Rights of Persons with Disabilities.

This convention is another step towards ensuring that all people with a disability, in any country, are treated with dignity and given the right to achieve to their full potential.

Let me read part of a recent statement to the Foreign Relations Committee from one of my esteemed predecessors, former Senate Majority Leader Bob Dole, recipient of two Purple Hearts and a Bronze Star for heroic achievement, who was wounded fighting for our country in World War II.

U.S. ratification of the [Convention] will improve physical, technological and communication access outside the U.S., thereby helping to ensure that Americans—particularly, many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad. . . . An active U.S. presence in implementation of global disability rights will promote the market for devices such as wheelchairs, smart phones,