

It is important for me to say up front how non-controversial this legislation should be.

The legislation has broad bi-partisan support among the diverse California congressional delegation.

The bill would likely add no new burden to the Federal taxpayer.

Congress enacted an identical provision in 1996.

But the provision expired along with the 1996 Farm Bill. So essentially, the legislation I am introducing today is simply the reauthorization of that no-cost provision.

More importantly though, this legislation can help the struggling dairy industry. Prices have dipped back to near historic lows, and farmers are often milking their cows at or below the cost of production.

In California, this has resulted in a drastic consolidation of the industry. Forty-eight dairies went out of business in 2011. Eleven left the business in 2010. And 100 more left the business in 2009.

With only 1,668 dairies left in the state in 2011, those losses represent more than a 10 percent contraction in just three years.

But this legislation has the potential to begin the turnaround for California by bringing the milk pricing formulas in line with the rest of the nation.

To explain how the turnaround could occur, I'd like to start with the basics.

USDA operates 10 regional Federal Milk Marketing Orders for dairy farmers in 42 States. The order sets up a system to pay farmers a set price for their milk, even though food manufacturers pay different prices based on how the milk is used. For instance, farmers in the Federal order receive the same price for milk that is put in a carton for drinking as milk that is converted into dry milk powder. This is true even though these products sell for significantly different prices at the grocery store.

However, California, the Nation's largest milk producing State, operates under a different system. The State elected to run its own milk marketing order, so California farmers are paid different values for their products, and they are playing by different rules.

One unique characteristic of the California Marketing Order, and the reason for this legislation, is the system known as "quota," which I mentioned earlier.

Producers who own a portion of the "quota" receive a premium for their milk, roughly five percent more than other producers. Rights to quota can be bought or sold on the open market, and economists estimate that the combined value associated with quota is roughly \$900 million.

It is this \$900 million value that the California Federal Milk Marketing Order Act authorizes to be converted into a Federal order.

Inclusion of the quota will not come at taxpayer expense. Producers who own quota receive a higher price for

their milk, but the additional payment is offset by a marginal increase in prices paid by dairy processors.

I know that dairy support programs can be convoluted and controversial. But I want to make sure that my colleagues know that this legislation is not.

The bill simply gives California dairy farmers the option of entering into the Federal order, at the time of their choosing. It does not mandate a thing.

I hope my colleagues will see the sense in this legislation and join me in supporting our dairy farmers by enacting this bill.

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

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

S. 663

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "California Milk Marketing Order Act".

SEC. 2. INCLUSION OF CALIFORNIA AS SEPARATE MILK MARKETING ORDER.

(a) INCLUSION AUTHORIZED.—Upon the petition and approval of California dairy producers in the manner provided in section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary of Agriculture shall designate the State of California as a separate Federal milk marketing order.

(b) SPECIAL CONSIDERATIONS.—If designated under subsection (a), the order covering California shall have the right to reblend and distribute order receipts to recognize quota value.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—STANDING WITH THE PEOPLE OF KENYA FOLLOWING THEIR NATIONAL AND LOCAL ELECTIONS ON MARCH 4, 2013, AND URGING A PEACEFUL AND CREDIBLE RESOLUTION OF ELECTORAL DISPUTES IN THE COURTS

Mr. COONS (for himself, Mr. CARDIN, and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the Government and people of the United States stand with the people of Kenya following their national and local elections on March 4, 2013;

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which facilitated a power-sharing arrangement and led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas, as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence (the "Waki Commission") concluded from its investigation in 2008 that there had been "no serious effort by any government" to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas, based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, "Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive";

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors " . . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law";

Whereas, prior to the March 2013 elections, concerns about political violence in Kenya were high, and in the months preceding there had been strong indications that local politicians in various parts of the country were involved in organizing or inciting violence in order to influence local electoral outcomes;

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and "move forward towards prosperity and opportunity that unleashes the extraordinary talents of your people";

Whereas, five years after Kenya's post-election crisis, the country held its first general elections under the new constitution on March 4, 2013, which were largely peaceful; and

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process, which is now underway with

the filing of cases before the Kenyan Supreme Court on March 16, 2013: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013;

(2) calls on the people of Kenya to continue to reject intimidation and violence, and encourages the peaceful and credible resolution of electoral disputes in the courts;

(3) urges restraint on all sides, while recognizing the right of the people of Kenya to peacefully exercise their constitutional rights to freedom of expression, assembly, and demonstration;

(4) urges accountability for anyone found to be complicit in promoting violence or manipulating electoral processes or results;

(5) notes that many of the underlying grievances that have underpinned ethnic divisions and fueled the 2007–2008 violence remain largely unaddressed;

(6) affirms that accountability for the 2007–2008 post-election violence is a critical element to ensure Kenya's democracy, peace, and long-term stability;

(7) calls on the Government of Kenya to respect commitments to seek justice for the victims of political violence, including by honoring its obligations under the Rome Statute to cooperate fully with the International Criminal Court with regard to the three cases that remain before the Court slated to go to trial in 2013;

(8) recognizes that, while the Government of Kenya has made important progress since the 2007 election, aspects of the Kenyan reform agenda specified in the National Accord and 2010 constitution remain unfinished, particularly with regard to police reform, devolution, land reform, and security;

(9) encourages the people and Government of Kenya to support ongoing implementation of constitutional reforms, rule of law, and efforts to strengthen governing, security, and judicial institutions that respect the dignity and rights of all the people of Kenya and ensure protection for judges;

(10) congratulates the many candidates elected to office in the March 2013 election—including those at the newly-formed county level—and expresses hope that newly-elected members of government will herald a new generation of responsible leadership in Kenya; and

(11) reaffirms that the people of the United States will continue to stand with the people of Kenya in support of democracy, partnership, and peace.

SENATE RESOLUTION 91—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

Mr. UDALL of New Mexico (for himself, Mr. CARDIN, Mr. BROWN, Mr. WYDEN, Mr. TESTER, and Mr. BLUMENTHAL) submitted the following resolution; which was:

S. RES. 91

Whereas the week of April 1, 2013 through April 7, 2013 is National Public Health Week, and the theme for 2013 is “Public Health is ROI: Save Lives, Save Money”;

Whereas, since 1995, public health organizations have used National Public Health Week to educate the public, policymakers, and public health professionals about issues that are important to improving the health of the people of the United States;

Whereas the value of a strong public health system is in the air people breathe, the water they drink, the food they eat, and the places where they live, learn, work, and play;

Whereas each 10 percent increase in local public health spending contributes to a 6.9 percent decrease in infant deaths, a 3.2 percent decrease in cardiovascular deaths, a 1.4 percent decrease in deaths due to diabetes, and a 1.1 percent decrease in deaths due to cancer;

Whereas routine childhood immunizations save \$9,900,000 in direct health care costs, save 33,000 lives, and prevent 14,000,000 cases of disease;

Whereas childhood health problems linked to preventable environmental exposures, such as lead poisoning, asthma complications, and developmental disabilities, cost the United States \$76,600,000,000 in 2008, and those costs increased from 2.8 percent of total health care costs in 1997 to 3.5 percent in 2008;

Whereas the cost of providing dental care for Medicaid-eligible children who live in communities without water fluoridation is twice as high as the cost for providing dental care for Medicaid-eligible children who receive the oral health benefits of drinking water with fluoridation;

Whereas a \$52 investment in a child safety seat prevents \$2,200 in medical costs, resulting in a return of \$42 for every \$1 invested;

Whereas an investment in workplace wellness initiatives reduces sick leave and results in a return of \$3.27 in medical costs alone for every \$1 invested;

Whereas health problems linked to hunger and food insecurity cost \$130,500,000,000 annually;

Whereas, from 1991 to 2006, investments in HIV prevention averted more than 350,000 infections and saved more than \$125,000,000,000 in medical costs; and

Whereas, by adequately supporting public health and prevention, the people of the United States can transform a health system focused on treating illness into a health system focused on preventing disease and promoting wellness: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public health professionals, the Federal Government, States, municipalities, local communities, and individuals in preventing disease and injury;

(3) recognizes the role of public health in improving the health of people in the United States;

(4) encourages increased efforts and investment of resources to improve the health of people in the United States through—

(A) interventions to promote community health and prevent disease and injury; and

(B) strengthening the public health system of the United States; and

(5) encourages the people of the United States to learn about the role that the public health system plays in improving health in the United States.

SENATE CONCURRENT RESOLUTION 10—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA

Ms. HIRONO (for herself and Mr. SCHATZ) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 10

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 9, 2013, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

SENATE CONCURRENT RESOLUTION 11—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following concurrent resolution, which was:

S. CON. RES. 11

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, March 22, 2013 through Tuesday, March 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 8, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on Monday, March 25, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 9, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 517. Mr. TOOMEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table.

SA 518. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 519. Mr. DONNELLY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 520. Mr. HEINRICH (for himself, Mr. ALEXANDER, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.