

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2307 to amendment No. 2306.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day."

Mr. REID. Madam President, what I hope we can do tomorrow, as we did today—I know people feel strongly about this sexual assault issue—is people will come and talk about that. It is so important. We were able to do that today on this amendment we had, and by the time 5 o'clock came, there had been a full discussion of the amendment. No one was crying for more time. So I hope in the morning people who feel strongly about this issue will come and talk about it. We did have some people who came and talked about this issue and that was important. So there are very strong feelings about this amendment. It is a difficult issue. It is sexual assault in the military. It wasn't long ago we wouldn't even be discussing such a thing on the Senate floor. We have to now, because it is an issue the military has, and we are trying to work through this. People have different views on how to proceed, but everyone agrees it needs to change. It is a question of how we change it, and that is what this debate is all about.

So I hope Senators will come in the morning and start talking about this issue; tee it up for a vote sometime tomorrow afternoon.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each, and we can do that until 7:30 tonight; and during that period of time, it will be for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa.

#### ATTACKING BIOFUELS

Mr. GRASSLEY. Madam President, I wish to address another round of attacks that have been spearheaded by Big Oil against America's biofuels producers.

As its market share for Big Oil dips, Big Oil is doubling down to swat down its perennial pinata. This time around, petroleum producers and food conglomerates are using environmental groups as political cover to gain traction on efforts to pull the plug on the renewable fuel standard that we often refer to as RFS.

This is a ridiculously transparent and very much self-serving assault by these special-interest groups. Their re-

lentless campaign to discredit ethanol undermines America's longstanding efforts to diversify its energy landscape, fuel the economy, and, most importantly, strengthen our national security.

The predictable efforts to smear ethanol's reputation ignore the renewable fuel's valuable contribution to clean energy, rural development, job creation, and U.S. energy independence. The latest round of misguided untruths disregards the plain truth. The plain truth is ethanol is renewable, it is sustainable, it is a clean-burning fuel, and all this helps run the Nation's transportation fleet with less pollution and less imported oil.

Let me remind my colleagues, most of that imported oil comes from countries that hate us and use our money to potentially kill Americans. Yet critics continue to hide behind distortions that claim ethanol is bad for the environment, and those distortions I wish to discuss.

I wish to separate fact from fiction regarding ethanol's impact on the environment. Critics say farmers are putting fragile land into production to cash in on higher corn prices at the expense of soil erosion and clean water.

That argument is not good under any respects. It may have been better last year and the year before when corn was \$7, but corn is about \$4 a bushel now—hardly making ends meet. They point out that 5 million Conservation Reserve Program acres are no longer enrolled in the conservation program since 2008. They want to pin the blame on ethanol. But the facts are, first of all, fewer acres enrolled in CRP has more to do with Federal belt-tightening, meaning spending less money here in Congress, than land stewardship decisions made by corn farmers.

The 2008 farm bill had a lot to do with it. That farm bill built upon other stewardship incentives for American farmers and ranchers administered by the U.S. Department of Agriculture, including the Environmental Quality Incentives Program, wetland restoration, and wildlife habitat programs. So land put into these programs under the 2008 farm bill takes land out of crop production, but it is not the ethanol industry that has done it. It is Federal policy.

For instance, a Wetlands Reserve Program in 2012 had a record-breaking enrollment of 2.65 million acres. The Wetlands Reserve Program lands cannot be farmed for 30 years, so they aren't going to be raising corn on that land to produce ethanol.

According to the Environmental Protection Agency, no new grassland has been converted to cropland since 2005. Farmers must make marketing, planting, and stewardship decisions that keep their operations financially sound and productive from crop year to crop year.

Even more importantly, these decisions must be environmentally sustainable for the long haul, both from the standpoint of the farmer's economic

well-being as well as meeting certain laws that require that.

So let me be clear: Farmers simply can't afford to not take scrupulous care of the land that sustains their livelihoods.

Fertilizer use is on the decline. Compare application per bushel in 1980 versus 2010: Nitrogen is down 43 percent, phosphate is down 58 percent, and potash is down 64 percent.

Ethanol burns cleaner than gasoline. According to the Oregon National Laboratory, corn ethanol reduces greenhouse gas emissions by 34 percent compared to gasoline. If the oil industry wants to talk about the environment, we should not forget—and I will remind them and the people behind this move—about the 1989 Exxon Valdez oil spill or the 2010 Deepwater Horizon oil spills in the Mexican gulf. Critics also say that the renewable fuel standard is driving more acres into corn production. Well, the fact is, if facts mean anything, the RFS is driving significant investment in higher yielding, drought-resistant seed technology that very much enhances production per acre. This is a win-win scenario, to cultivate good-paying jobs, mostly in rural America, and to harvest better yields on less land.

The total cropland planted to corn in the United States is decreasing. Let's compare this year's crop year when U.S. farmers planted 97 million acres of corn—97 million corn acres. In the 1930s, farmers planted 103 million acres of corn. Farmers have increased corn harvests through higher yields, not more acres.

Critics contend the Nation's corn crop is diverted for fuel use at the expense of feed for livestock and higher prices at the grocery store. But what are the facts? In reality, one-third of the corn processed to make ethanol re-enters the marketplace as high-value animal feed called dried distillers grain. Livestock feed remains the largest end user of corn.

I get so darn tired of hearing people from Big Oil or these environmental groups or these big supermarket conglomerates say that 40 percent of the corn produced goes into ethanol when they don't give credit for the 18 pounds of every 56-pound bushel of corn, 18 pounds, or one-third of it, is used for animal feed. So when coproducts such as the dried distillers grain are factored in, then ethanol consumes only about 27 percent of the whole corn grain by volume. Livestock feed uses 50 percent.

Critics have also pursued the false accusation that the increased production of biofuels increases grocery prices. Again, nothing could be further from the truth. The facts are that the U.S. Department of Agriculture Secretary has said farmers receive about 14 cents of every food dollar spent in the grocery stores, and the farmers share of a \$4 box of corn flakes is only 10 cents.

So what is at stake when a coalition of special interests tag-teams to pull

the rug out from underneath the Nation's ethanol policy? Well, there is a lot at stake. Unfortunately, these flawed attacks on ethanol and next-generation biofuels undermine America's effort to move forward with an aggressive, diversified energy policy that takes into account global demand, geopolitics, and U.S. economic growth.

It has resulted in an EPA that has wholeheartedly adopted this false narrative promoted by Big Oil and Big Oil allies. On Friday, then, the EPA released its proposed rule for the required volumes under the renewable fuel standard for next year. The EPA in this proposal chose to reduce the overall biofuels mandate. Rather than increase the amount of biofuel to be blended as the law requires, the EPA has chosen to waive the mandate and suggest that we use less homegrown renewable biofuel in our fuel supply; hence, more dependence upon foreign sources of energy.

It is terribly disappointing that the U.S. biofuels industry is now under attack from President Obama's EPA. This action, which was vigorously pursued by Big Oil, is a slap in the face of our domestic energy producers. Who would have believed that Big Oil found an ally in President Obama's EPA since he has been such a defender of biofuels and all green energy.

Who would have expected the Obama EPA to be more harmful to our domestic biofuels effort than President Bush ever was? President Bush was demagogued as an oil man from Texas. But he never undermined biofuels to the extent that this proposal from this EPA would.

In making this announcement, the EPA said the challenges to supplying more ethanol to the market are too great because of the so-called blend wall. The fact is the blend wall is a creation of Big Oil. The primary reason ethanol is not blended at levels higher than 10 percent today is because Big Oil has stood in the way.

Congress knew in 2007 that the RFS, renewable fuel standard, would require biofuels to be blended at levels higher than 10 percent. But the petroleum companies fought that every step of the way, going back 4 or 5 years, and finally last Friday they were successful.

Friday's announcement, by the way, by EPA rewarded them for their temper tantrums. The EPA's proposal puts Big Oil in charge of how we implement the renewable fuel standard. It has rewarded Big Oil for its intransigence.

While EPA says its intention is to put the RFS Program on a manageable trajectory that will support continued growth, I want to tell you the exact opposite is true. This proposal is a step back, not a step forward. It undercuts all segments of biofuel—including biodiesel, ethanol, and the advanced biofuels that go by the name of cellulosic ethanol.

While this administration claims to have an energy strategy of "all of the above," this decision by EPA proves it

is in favor of "none of the above." Ironically, biofuel producers now know what it is like for traditional energy producers with a bureaucracy that impedes domestic energy production at every turn.

I find this decision baffling. I hope President Obama will see the harmful impacts of the EPA proposal and fix this mistake during the 60-day period EPA must take to consider opinions on this issue.

So there are 60 days to turn this around. I hope we can do that.

I yield the floor.

#### PATENT TRANSPARENCY AND IMPROVEMENTS ACT

Mr. LEAHY. Madam President, the American patent system has long been the envy of the world. Two years ago, Congress took important action to update and modernize this system for the 21st century by passing the Leahy-Smith America Invents Act. The Leahy-Smith act has made key improvements to the patent system, strengthening it for the long term. Unfortunately, there are bad actors who are misusing the system by unfairly targeting small businesses and others with lawsuits that are often based on low-quality patents. That is why I joined on Monday with Senator LEE, Senator WHITEHOUSE, and Senator KLOBUCHAR to introduce legislation that will build upon the success of the Leahy-Smith act and curb abuses by so-called patent trolls.

The Patent Transparency and Improvements Act will take important steps to rein in the most egregious abuses of the patent system. It will improve transparency of patent ownership so that trolls cannot hide behind shell corporations and obscure the true owner of the patents that are being asserted. It will help customers who are sued simply for using a product that they purchased by allowing the case against them to be stayed while the product's manufacturer litigates the suit. The Patent Transparency and Improvements Act will also take steps to crack down on abuses of demand letters that are all too often sent to small businesses simply to extort monetary settlements.

When small businesses in Vermont are threatened with lawsuits simply for using document scanners in their offices or offering wi-fi service to their customers, we can all agree that the patent system is not being used as intended. I thank Senator LEE and our cosponsors for joining me in this important effort and applaud Chairman GOODLATTE for the work he is doing in the House to address this problem. I look forward to working with all members of the Judiciary Committee, as well as with the House, to pass bipartisan and bicameral legislation that will crack down on these abuses while at the same time preserving the parts of the patent system that have made it the greatest in the world and an engine for job creation.

#### ATTACK ON PRO-BÚSQUEDA

Mr. LEAHY. Madam President, on November 15, according to information I have received, three armed men attacked the offices of the Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos in El Salvador, dousing computers, archives, and confidential documents with gasoline and then lighting them on fire.

For Senators who may not be aware, Pro-Búsqueda is a small organization devoted to locating Salvadorans who, as children during the civil war, were forcibly taken from their parents, some of whom were killed by Salvadoran military officers, and either "adopted" by those officers or sold to other families including foreigners. Pro-Búsqueda works to support the Salvadoran birth parents who lost their children to these forced adoptions, and uses DNA technology to help family members find each other. Years ago, a member of my staff visited Pro-Búsqueda's office in San Salvador, met the courageous staff and observed the research they were doing.

This deplorable attack on Pro-Búsqueda followed the abrupt decision by San Salvador's Archdiocese to close Tutela Legal, the highly respected human rights office of the Roman Catholic Church which played an indispensable role in investigating and documenting violations of human rights during the war, including the assassination of Archbishop Romero. The office collected key testimony and other documentary evidence, and there is more of that work to be done.

The attack on Pro-Búsqueda also followed the welcome but controversial decision by the Salvadoran Supreme Court to accept a case challenging the Amnesty Law, which has provided immunity from prosecution to former Salvadoran military officers implicated in atrocities during the war.

I join those who have expressed condolences to the staff of Pro-Búsqueda, and urge the Salvadoran Government to conduct a thorough investigation and to punish those responsible. It is tragic that two decades after the signing of the peace accords that ended the war, attempts to determine the fate of kidnapped children elicits this kind of hateful, violent response. It illustrates how much remains to be done to fulfill the promise of the accords and overcome the painful and divisive legacy of that war.

#### 80TH ANNIVERSARY OF THE UKRAINIAN FAMINE

Mr. CARDIN. Madam President, this year we commemorate the 80th anniversary of the Holodomor, the genocidal Ukrainian Famine of 1932-1933. Eighty years ago, an engineered famine in Soviet-dominated Ukraine and bordering ethnically-Ukrainian territory resulted in the horrific deaths of millions of innocent men, women, and children.