

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.

I visited the Holodomor monument in central Kyiv, a poignant reminder of the suffering perpetrated by Soviet dictator Stalin's deliberate and inhumane policy to suppress the Ukrainian people and destroy their human, cultural, and political rights. Requisition brigades, acting on Stalin's orders to fulfill impossibly high grain quotas, took away the last scraps of food from starving families and children. Eyewitness accounts describing the despair of the starving are almost unfathomable. Millions of rural Ukrainians slowly starved—an excruciatingly painful form of death—amid some of the world's most fertile farmland, while stockpiles of expropriated grain rotted by the ton, often nearby. Meanwhile, Ukraine's borders were sealed to prevent the starving from leaving to less-affected areas. International offers of help were rejected, with Stalin's henchmen denying a famine was taking place. At the same time, Soviet grain was being exported to the West.

The final report of the congressionally created Commission on the Ukraine Famine concluded in 1988 that "Joseph Stalin and those around him committed genocide against Ukrainians in 1932-33." No less than Rafael Lemkin, the Polish-Jewish-American lawyer who coined the term "genocide" and was instrumental in the adoption of the 1948 U.N. Genocide Convention, described the "destruction of the Ukrainian nation" as the "classic example of Soviet genocide."

We must never forget the victims of the Holodomor or those of other republics in the Soviet Union, notably Kazakhstan, that witnessed cruel, mass starvation as a result of Stalin's barbarism, and we must redouble our efforts to protect human rights and democracy, ensuring that 20th-century genocides such as the Holocaust, Armenians in the Ottoman Empire, Ukraine, Bosnia, Cambodia, and Rwanda become impossible to imagine in the future.

SESQUICENTENNIAL OF THE GETTYSBURG ADDRESS

Mr. CARDIN. Madam President, 150 years ago today, President Abraham Lincoln gave one of the greatest speeches not just in U.S. history but in human history. In under 3 minutes and using just 10 sentences, President Lincoln spanned the past, present, and future of the American experiment and spoke to the aspirations, rights, and responsibilities not just of Americans but of humankind.

It is astounding for us to realize that President Lincoln was invited to the dedication of the Nation's first national military cemetery almost as an afterthought. The event was organized around the schedule of former Harvard president Edward Everett, who was thought to be one of the Nation's greatest orators of the time.

Everett was the featured speaker and, in the custom of that era, addressed the crowd for over 2 hours.

President Lincoln, who had been invited to say "a few appropriate words," followed Everett.

President Lincoln wrote for the ear; he recited words and phrases as he committed them to paper. When he gave speeches, he spoke deliberately. His great speeches, including the Gettysburg Address, were as much theological in nature as they were political arguments.

Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

President Lincoln borrowed a method of referring to time from the Psalms of the King James Bible, Psalm 90:10. It seems idiosyncratic to our ears today, but his listeners would have immediately grasped that he was going back not to 1789, when the first Congress convened in New York City and George Washington was inaugurated as our Nation's first President. He was not going back to 1788 when the Constitution was ratified or back to 1787 when the Constitutional Convention met. He was going back 87 years, to 1776 and the Declaration of Independence, citing the proclamation of our Founding Fathers who were from the North and South alike—of the universal truth "that all men are created equal."

In the very next sentence, President Lincoln pivoted to the present and proceeded to explain the purpose of the Civil War: to determine whether the United States of America or any other nation "conceived in liberty, and dedicated to the proposition that all men are created equal" could succeed and last:

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

And then President Lincoln, with characteristic humility, paid homage to those who had fought and died at Gettysburg before pivoting again, to the future and to laying out the responsibilities of his and future generations of Americans:

But, in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

As historian Ronald C. White, Jr., has written, "Lincoln was finished. He had not spoken the word 'I' even once. It was as if Lincoln disappeared so Americans could focus unhindered upon his transcendent truths." Those "transcendent truths" are apparent to us today but things weren't so clear 150 years ago, in the midst of the horrific brutality and death of the Civil War. On November 20, 1863, the New York Times reported that President Lincoln's address was interrupted by applause five times and followed by sustained applause, but historian Shelby Foote said that the reaction to the speech was delayed and "barely polite." On November 23, 1863, the Chicago Times—an anti-Lincoln paper—editorialized that President Lincoln's address "was an offensive exhibition of boorishness and vulgarity" and "a perversion of history so flagrant that the most extended charity cannot regard it as otherwise than willful."

Initially, President Lincoln believed that the Civil War was being fought simply to preserve the Union. But his thinking evolved to the point where the war was about the abolition of slavery. It became the testing ground of whether the United States of America—or any other nation dedicated to human liberty and equality—could endure.

There is a popular legend that President Lincoln jotted down a few notes on his way to Gettysburg or that he spoke extemporaneously. That isn't true. He prepared the speech beforehand and there was one improvisation only: He added the words "under God." As White noted, "'Under God' pointed backward and forward: back to 'this nation,' which drew its breath from both political and religious sources, but also forward to a 'new birth.' Lincoln had come to see the Civil War as a ritual of purification. The old Union had to die . . . Death became a transition to a new Union and a new humanity."

And so President Lincoln—in theological as well as constitutional language—laid out for his listeners, for us, and for our grandchildren "the unfinished work" and "the great task remaining": namely, to promote "a new birth of freedom." As the American poet Archibald MacLeish wrote, "There are those who will say that the liberation of humanity, the freedom of man and mind, is nothing but a dream. They are right. It is the American dream." We Americans are singularly fortunate and privileged to hail from the first Nation in history "conceived in liberty, and dedicated to the proposition that all men are created equal." It is our solemn responsibility not only to protect and expand freedom here but to promote and nurture it abroad so that "government of the people, by the people, for the people, shall not perish from the earth."