heard in the next selection of a lifetime appointment to the Court.

RECESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess, as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 764, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany S. 764, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Pending:

McConnell motion to concur in the House amendment to the bill with McConnell (for Roberts) amendment No. 3450 (to the House amendment to the bill), in the nature of a substitute.

McConnell motion to refer the bill to the Committee on Commerce, Science, and Transportation.

Mr. ROBERTS. Mr. President, I suspect a quorum call has been initiated. If so, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The Senate is not in a quorum call.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, today is National Agriculture Day, and I wish to thank the farmers and ranchers of America. The Senate is considering legislation on an issue that is critically important to our Nation's food supply. It affects everyone from our producers in the fields to our consumers in the aisles of grocery stores. Without Senate action, this country will be hit with a wrecking ball—an apt description—that will disrupt the entire food chain. We need to act now to pass my amendment to S. 764. This is a compromised approach that provides a permanent solution to the patchwork of biotechnology labeling laws that will soon be wreaking havoc on the flow of interstate commerce, agriculture, and food products in our Nation's marketplace, and that is exactly what this is about. Let me repeat that. This is about the marketplace. It is not about safety. It is not about health or nutrition. It is about marketing. Science has proven again and again and again that the use of agriculture biotechnology is 100 percent safe.

In fact, last year the Agriculture Committee heard from three Federal agencies tasked with regulating agriculture biotechnology: the Department of Agriculture's Animal and Plant Health Inspection Service, the Environmental Protection Agency—yes, the EPA—and the Food and Drug Administration, the FDA. Their work is based on sound science and is the gold standard for policymaking, including this policy we are debating today—one of the most important food and agriculture decisions in recent decades.

At our hearing, the Federal Government expert witnesses highlighted the steps their agencies have already taken to ensure that agriculture biotechnology is safe—safe to other plants, safe to the environment, and safe to our food supply. It was clear our regulatory system ensures biotechnology crops are among the most tested in the history of agriculture in any country. At the conclusion of the hearing, virtually all Senate Agriculture Committee members were in agreement. What happened? When did sound science go out the window? Since that hearing, the U.S. Government reinforced their decisions on the safety of these products.

In November, the FDA took several steps based on sound science regarding food produced from biotech plants, including issuing final guidance for manufacturers that wish to voluntarily label their products as containing ingredients from biotech or exclusively nonbiotech plants.

More important, the Food and Drug Administration denied a petition that would have required the mandatory labeling of biotech foods. The FDA stated that the petitioner failed to provide the evidence needed for the agency to put such a requirement in place because there is no health safety or nutritional difference between biotech crops and their nonbiotech varieties, regardless of some of the rhetoric we have heard on the floor of the Senate.

Thus, it is clear that what we are facing today is not a safety or health issue, despite claims by my colleagues on the Senate floor; it is a market issue. This is about a conversation about a few States dictating to every other State the way food moves from farmers to consumers in the value chain. We have a responsibility to ensure that the national market can work for everyone, including farmers, manufacturers, retailers, and, yes, consumers.

This patchwork approach of mandates adds costs to national food prices. In fact, requiring changes in the production or labeling of most of the Nation's food supply for a single State would impact citizens in our home States. A recent study estimates that the cost to consumers could total as much as—get this—$82 billion annually, which comes to approximately $1,050 per hard-working American family. This Vermont law, which is supposed to go into effect in July, will cost each hard-working family $1,050. Let me repeat that. If we fail to act, the cost to consumers could total as much as $82 billion annually and will cost each hard-working American family just over $1,000. Now is not the time for Congress to make food more expensive for anybody—not the consumer or the farmer.

Today's farmers are being asked to produce more safe and affordable food to meet the growing demands at home and around a troubled and very hungry world. At the same time, they are facing increased challenges to production, including limited land and water resources, uncertain weather patterns, and pest and disease issues. Agriculture biotechnology has become a valuable tool in ensuring the success of the American farmer and meeting the challenge of increasing their yields in a more efficient, safe, and responsible manner. Any threat to the technology hurts the entire value chain—from the farmer to the consumer and all those who are involved.

I also hear—and I do understand the concern from some of my colleagues about consumers and available information about our food. Some consumers want to know more about ingredients. This is a good thing. Consumers should take an interest in their food, where it comes from, and the farmers and ranchers who also produce their food. I can assure you the most effective tool consumers have to influence our food system or to know more about food is by voting with their pocketbooks in the grocery stores and supermarkets. This legislation puts forward policies that will help all consumers not only find information but also demand consistent information from food manufacturers. However, it is important, as with any Federal legislation on this topic, for Congress to consider scientific fact and unintended consequences.

The committee-passed bill created a voluntary national standard for biotechnology labeling claims of food. I have heard concerns that a voluntary-only standard would not provide consumers with enough information, even though there is no health, safety, or nutritional concern with this biotechnology. So we worked out a compromise to address these concerns by providing an incentive for the marketplace to provide more information.

This legislation will allow the markets to work. However, if they do not live up to their commitments and information is not made available to consumers, then this legislation holds the market accountable. Under this proposal, a mandatory labeling program would go into effect only if a voluntary program does not provide significant information after several years. The marketplace would then have adequate time to adjust and utilize a variety of options—a menu of options—to disclose information about ingredients, along

with a wealth of other information about the food on the shelves.

Simply put, the legislation before us provides an immediate comprehensive solution to the unworkable State-by-State patchwork of labeling laws. Preemption doesn't extend to State consumer protection laws or anything beyond the wrecking ball that we see related to biotechnology labeling mandates, and we do ensure that the solution to the State patchwork, the one thing we all agree upon, is effective. It sets national uniformity that allows for the free flow of interstate commerce, a power granted to Congress in the U.S. Constitution. This labeling uniformity is based on science and allows the value chain from farmer to processor, to shipper, to retailer, to consumer to continue as the free market intended. This ensures uniformity in claims made by manufacturers and will enhance clarity for our consumers.

Increasingly, many Americans have taken an interest in where their food comes from and how it is made. Let's keep in mind this is a good thing. We want consumers informed about food and farming practices, but at the same time we must also not demonize food with unnecessary labels.

This debate is about more than catchy slogans and made-up names for bills. It is about the role of the Federal Government to ensure the free flow of commerce, to make decisions based upon sound science, all the while providing opportunity for the market to meet the demands of consumers.

This is not the first time this body has addressed this issue. In 2012 and 2013, Members of the Senate soundly rejected the idea of mandatory labeling for biotechnology. That is right. Both times more than 70 Members voted to reject mandatory labeling. This body then stood up for sound science and common sense, and I trust my colleagues will continue to stand up and defend sound science again.

Time is of the essence for not only agriculture in the food value chain but also consumers who work together, face the wrecking ball of this patchwork of State-by-State mandates. This legislation has the support of more than 650 organizations. We never had 650 organizations contact the Agriculture Committee about any other bill, any other piece of legislation—more than 650. My staff now tells me that number is over 700, large and small, representing the entire food chain, and that number continues to grow every day. That is quite a coalition. They are here in Washington trying to say: Look, this is not going to work with regard to State-by-State regulation.

As I have said, never before in the Agriculture Committee have we seen such a coalition of constituents all united behind such effort. Their message is clear: It is time for us to act. It is time for us to provide certainty in the marketplace.

I appreciate the bipartisan support of those on the committee who joined me to vote out our committee bill. The vote was 14 to 6. We made significant changes to address the concerns of others. Now we must carry this across the finish line. I urge my colleagues to support this compromising approach and protect the safest, most abundant, and affordable food supply in the world.

I yield the floor.

Upon close inspection, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I rise to speak about a very important issue for the American people—what they feed their families. Here is a photo of a dad—a pretty typical photo of a dad taking his two kids shopping. You can see he has one toddler there and he has one infant in the cart. How well I remember doing this with my own kids and then watching my kids with their kids. It is kind of a tradition.

So we have a couple of questions we have to ask ourselves when we look at a photo like this. If this dad wants to know what ingredients are in the food that he gives his kids, he should have a right to know that. That is my deep belief. He has a right to know that, just as they do in so many countries all over the world.

The bill that is going to come before us, called the Safe and Accurate Food Labeling Act, is anything but that. I would call it the ''no label'' act. It is a ''no label.'' There is no label required. It is a totally voluntary system. It is a ''no label'' label. Even if in 3 years Senator ROBERTS' mandatory labeling kicked in, you still would not have a true label. I think it is an embarrassment. I think it is an insult to consumers, and it is a sham. The goal of the bill—and I hope we vote it down—is to hide the information from consumers. It is going to make it harder, not easier, for consumers to know if they are feeding their families genetically modified organisms, or GMOs.

So here again is our typical dad, and he has his kids in the cart. They are shopping, they have had their outing, and he picks up a product. He wants to see the ingredients, including whether it has been genetically modified. Guess what. There is no GMO label.

So what are his options? Well, in 3 years, maybe he will have an option. But before then, the voluntary program is going to make it literally impossible for him to know what is in his food. It is either going to be a QR code—so he will have to have a smartphone, and even when he puts the smartphone up against the code, they don't really have to tell you easily whether it is GMO, and it is going to have a whole bunch of other information—or he is going to have to call a 1–800 number.

Can you believe this? The man is going through the grocery store. He has 50 products in his cart. He is saying: Wait a minute, kids—just a minute. Here, have some chips. Then he calls 1–800 and he tries to find out, and he gets probably some person answering him in India, which is usually what you get, and you go around the mulberry bush. How embarrassing is this?

Now, if he is lucky, he gets some products from companies that really are being fair about this, such as Campbell Soup Company. They are doing a really smart, voluntary label. It says: ''Partially produced with genetic engineering. For information visit . . .'' and they have a site. Campbell's, if he is lucky, has enough products in here that have a label. He may find out more information, but it is totally voluntary. It is totally voluntary. I want to say thank you to Campbell's for being upfront and putting the information right on the label.

As a mom and as a grandma, I want to know what is in my food. Because of work we have done before, you do have to list how much sugar is in the product, which is so critical as we combat diabetes and other things. Sometimes you read that sugar content, and you think: Oh my God, I am going to get something else. And you can see how many carbs, how much fat. Why can't you find out if the product is genetically modified? Seems to me, this is fair.

So while I call the Roberts proposal the ''no-label label,'' because it makes believe you are going to have a label, but there is no label—the groups, the consumer groups call it the DARK Act, because the label is voluntary. There is not going to be a label, at least for 3 years after that, if not longer. They will figure out another way to put it off indefinitely. Even if, after 3 years USDA decides they have to make something mandatory, information will be hidden behind Web sites or phone numbers or these QR codes that are so problematic.

So this busy dad that we have here, he is going to have to stop shopping for every item on his list. He would have to pull out his phone to make a call or go to a Web site or scan a code. You don't have to live too long to know this is not going to happen. This dad is not going to do that because he has two kids. By now they are screaming: Get me out of here; I am hungry, and where is mommy? So as to all of this notion that this dad is now going to deal with all of this—I don't care how much of a super dad you are, you are not going to make 50 phone calls to 1–800 numbers. You are not going to go look at 50 QR codes and find out whether the product has GMO. You are just not going to do it. It is not going to happen. The kids are going to be melting down. Even if he doesn't have kids with him, he has other things to do, by the way, like live his life outside the supermarket. He is going to want to get back home

or get back to work. It makes no sense at all.

By the way, this dad—and I ask Senator REID to take a look at this picture, if it doesn't remind him of one of his kids taking his grandkids shopping—is going to be expected—if he has 50 products and he wants to find out—either to have a smartphone and to put it up against the code and then find a whole bunch of information—

Mr. REID. Or call the 1–800 number.

Mrs. BOXER. Or he could call the 1–800 number, and we know what happens then. He will be transferred around the world.

So Americans should not have to run through hoops. Life is difficult enough already not to have to do that. This thing is a sham. It is an insult. It is a joke.

Why are they doing it on the other side of the aisle? Because they are beholden to the special interests that don't want to label GMOs, that are afraid if people know the food is genetically modified, they won't buy it, even though there is no proof of that at all.

Mr. President, 64 countries require labels. Some 64 countries today require simple labels, and many of our products are sold in those 64 countries. Let me tell you some of these countries.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the 64 countries that require GMO labeling.

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

COUNTRIES WITH GMO LABELS

1. Australia, 2. Austria, 3. Belarus, 4. Belgium, 5. Bolivia, 6. Bosnia and Herzegovina, 7. Brazil, 8. Bulgaria, 9. Cameroon, 10. China, 11. Croatia, 12. Cyprus, 13. Czech Republic, 14. Denmark, 15. Ecuador, 16. El Salvador, 17. Estonia, 18. Ethiopia, 19. Finland, 20. France; 21. Germany, 22. Greece, 23. Hungary, 24. Iceland, 25. India, 26. Indonesia, 27. Ireland, 28. Italy, 29. Japan, 30. Jordan, 31. Kazakhstan, 32. Kenya, 33. Latvia, 34. Lithuania, 35. Luxembourg, 36. Malaysia, 37. Mali, 38. Malta, 39. Mauritius, 40. Netherlands;

41. New Zealand, 42. Norway, 43. Peru, 44. Poland, 45. Portugal, 46. Romania, 47. Russia, 48. Saudi Arabia, 49. Senegal, 50. Slovakia, 51. Slovenia, 52. South Africa, 53. South Korea, 54. Spain, 55. Sri Lanka, 56. Sweden, 57. Switzerland, 58. Taiwan, 59. Thailand, 60. Tunisia, 61. Turkey, 62. Ukraine, 63. United Kingdom, and 64. Vietnam.

Mrs. BOXER. I am going to name some of these countries that require the labels. So in other words, our companies have to put the label on if they want to sell there, letting people know if their food is genetically modified: Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, China, Croatia, Cyprus, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Jordan, Kenya, Latvia, Mali, Malta, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Russia, Saudi Arabia, Senegal, Slovakia, South Africa, South Korea, Spain, Sri Lanka, Switzerland, Taiwan, Thailand, Turkey, Ukraine, United Kingdom, and Vietnam. I left some out, but they will be in the RECORD if anyone wants to see them.

Why is it that consumers in Russia have more information than our consumers do—the greatest country in the world? This makes no sense at all. Why is it that our companies are up in arms, since they have to put the label on in these other countries? They could put the label on here.

Now, if we care at all about what the public thinks, we should vote no on the Roberts bill. Some 90 percent of Americans want to know if the food they buy has been genetically engineered—90 percent. That is a majority of Republicans. That is a majority of Democrats. That is a majority of Independents. I think the other 10 percent are working for the big food companies, which don't seem to want to share this. Millions of Americans have filed comments with the FDA urging the agency to label genetically engineered food so they can have this information at their fingertips.

The bill also preempts any State in the Union from doing a label. Now, I don't like the notion of every State doing a label. That is why I support my bill—which has about 14 sponsors and simply says to the FDA to write a label and make this the law—or the Merkley bill, which comes up with four labels. Senator MERKLEY will talk about this. We say that would, in fact, be enough so that States wouldn't be able to act.

Meanwhile, this says no State action, and we are going to keep the status quo for at least 3 years—no labeling. Even after those 3 years, there may be no labeling at all. It is going to be barcodes, which are confusing, and 1–800 numbers, which probably take you to India to try and figure your way through it all.

Now, I have long believed in the power to give consumers information. I think you are all familiar with the dolphin-safe tuna labeling law. I am proud to say that I wrote that law. That law has been in effect since the 1990s, and people like it. But guess what. They see a smiling dolphin on the tuna can, and they know that tuna was caught in a way that does not harm the dolphins. We found out so many years ago that the tuna schools swim under the dolphins, and the tuna companies were purse seining on dolphins. They were putting nets over the dolphins, pulling them away and then catching the tuna, and the dolphins would die by the tens of thousands. So the schoolkids in those years said—at that time I was a House Member: Congresswoman BOXER, we don't want to have tuna that resulted in the death of all these dolphins. So we created the label, and the tuna companies were very helpful, just like Campbell Soup Company has been very helpful in labeling their products. When you have the companies come forward, it is very helpful. So we passed the bill. Everybody said: Oh, this is going to be terrible; no one will buy tuna. Actually, people started buying the tuna because they changed the way they fish for the tuna. The dolphins weren't harmed. We have saved literally hundreds of thousands of dolphins over the period of time that label has been in effect.

Now, as to this label, all we are saying is to let us know. Let us know. What we do know is that many of these genetically engineered products, as they are growing in the ground, require huge amounts of pesticides. Senator HEINRICH talked about that. That is one issue which has grown in importance to parents because they don't want to give their kids food that is covered in pesticides if they have an option.

So the power we give the consumers is critical—the power to simply know the truth. And, to me, knowledge is power. To me, it is respect. You tell people the truth; you don't give them a sham bill and say: Well, we won't require anything for 3 years, but then we may have a barcode, and then we may have a 1–800 number. No. It is pretty simple: Require a label. Require a label. A label is simple. A label works.

I see Senator MERKLEY on the floor, and I am finishing up. We have various ways we can do the label. One way is to give it to the FDA and tell them to come up with it, and another way is the way Senator MERKLEY has proceeded in a way to attract more support. He has given four options, all of which are very good and all of which would immediately give consumers the information they need.

In 2000, when I introduced the first Senate bill concerning the labeling of GE foods, my legislation had one supporter, and it was me. I had no other supporters back then. It was so long ago. It was in 2000. Now 14 Senators are cosponsoring the bill. I am so proud to cosponsor Senator MERKLEY's bill, the Biotechnology Food Labeling and Uniformity Act, which, again, will put forward four options for companies.

There are reasons people want this information, and not one of us here should decry what our people want, even if they want to know if the foods contain GMOs because of the prevalence of herbicide-resistant crops. We know from the USGS that growers sprayed 280 million pounds of Roundup in 2012—a pound of herbicide for every person in the country. That is what they spray on these foods that contain GMOs. Whatever the reason, Americans deserve to know what is in the food they are eating. Some want to know it just to have the information.

Some in the food and chemical industry say that adding this very small piece of information would confuse or alarm consumers. This is an old and familiar argument raised by virtually every industry when they want to avoid giving consumers basic facts. In fact, a 2014 study from the Journal of Food Policy shows there is little evidence that mandatory labeling of GE foods signals consumers to avoid the product. There is no proof of that.

The FDA requires the labeling of more than 3,000 ingredients, additives, and processes. Orange juice from concentrate must be labeled. Consumers should be able to choose the product they prefer. If they like it from concentrate, fine. If they prefer it in a different fashion, fine. There is no reason they can't also have the knowledge that the food they are buying is genetically engineered.

The world certainly has moved ahead of us. The Roberts bill would take us way back into the dark, and that is why consumer groups call it the DARK Act. It is a sham. It is an embarrassment. It is time for us to shelve the DARK Act, to listen to 90 percent of the American people. For God's sake, if we do nothing else, we ought to listen to 90 percent of the American people, and we ought to pass a real bill to help Americans make informed choices about the foods they eat.

Again, I wish to thank Senator MERKLEY for really delving into this issue and coming up with another alternative that will be very acceptable not only to me but to, I believe, the 90 percent of the people who are crying out for this information.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, this debate on the Monsanto DARK Act, which stands for Denying Americans the Right to Know, centers around two basic propositions. The first proposition is that it would be chaotic to have 50 States with 50 different labeling standards. How could a food company possibly always get the right label to the right store if there are 50 different State standards? This is not a problem we actually have yet because we have no States that have adopted a standard for GE labeling. We have one State—I should say no States have implemented it. One State has adopted a standard, and that won't be implemented until July. So we are far away from having any issue over conflicting standards. But I acknowledge the basic point. This makes sense. It makes sense that we don't want to have a world in which every State has a different approach: In this State you do X, Y, and Z, and in this State you do A, B, and C, and what the exemptions are differ, and the formats differ, and so on and so forth. So let's just concede that at this point, it makes sense to have a single standard for the country. But a single standard about what?

That brings us to the second basic proposition, which is that there be a consumer-friendly alert that there are GE ingredients in a product. That is all. If a State says they want to have a simple, consumer-friendly alert that there are GE ingredients, then they should be able to do that.

If we don't want 50 standards, then we need to have the replacement be a national standard that provides the same thing, that is a consumer-friendly alert that there are GE ingredients. Then the individual can do more investigation. They can go to the company's Web site and find out the details, including what type of genetic engineering it is, what is its impact, and so on and so forth.

Right now there is a coalition of individuals in this Chamber who don't believe in Americans' right to know. They want to take it away. They want to support a bill, which is currently on the floor right now, that denies Americans the right to know because they are getting pressure from Monsanto and friends, and they are not willing to stand up for the American citizen, their constituents. They don't believe in a ''we the people'' America; they believe in ''we the titans,'' that we are here simply on the end of a puppet string. But we are not here for that purpose. That is not the vision of our Constitution. The vision of our Constitution is that we are an ''of the people, for the people, and by the people'' world. That is what makes America beautiful, not that a few powerful groups can control what happens here in this Chamber, this honored and revered Chamber where it is our responsibility to hold up our ''we the people'' vision of the Constitution.

So this bill, this Monsanto Deny Americans the Right to Know Act 2.0, has a few shams and scams placed in it to pretend that it is a labeling law.

The first scam that it has in it—or sham—is an 800 number. I as a consumer can go to a grocery shelf and in 5 seconds I can check three products for an ingredient by looking at the label; 1 second, 2 seconds, 3 seconds—well, less than 5 seconds. In 3 seconds I can check and see whatever I want to find out. If I want to check the calorie count or check for vitamin A or what percentage of the daily recommended amount is in the food or if I want to see if it contains peanuts because I am allergic to peanuts, I can do it for three products in 3 seconds. That is consumer-friendly. That is why we put it on the label. That is why we say: Oh gosh, we are going to give people the information they want so they can exercise their freedom when they buy things to support what they want. That is integrity between the producer and the consumer.

But do we know what the opposite of integrity is? That is the DARK Act. Deny Americans the right to know and ban States from providing this basic information. It is the complete absence of responsibility to the citizen.

Well, there is a 1–800 number. How would that work? First of all, I have to find the 800 number. Then I have to make sure I have a phone with me. Then I have to make sure I have good cell phone coverage. Then I have to go to a phone tree. You know how these work. You go to the phone tree, you listen to eight options, you pick the option, it takes you to another list, you pick another option, and then finally, after about five levels, they connect you. They say: If you want an operator, press this, and you press it and you go to some call center in the Philippines. They don't know what you are talking about. This is not consumer-friendly.

Looking at the ingredient list takes 1 second. It is 10 minutes or more when you call that 800 number, and maybe you get a message: I am sorry, we have a large call volume right now, and we will be able to answer your call in 20 minutes. That is not consumer information; that is a scam and a sham.

That is not the only one that is in this DARK bill. The second sham is this idea of a quick response code, like this one in the picture, this square code. Again, as a consumer you can't look at the ingredients and see the answer, if there are GE ingredients, no. Now you have to have not just a phone but a smartphone. You have to hope it has a battery, that it has a photo appliance with it. You have to take a picture of that code, and then that code takes you to some Web site written by the very producer who gives you the answer, maybe, or maybe they lay out a whole architecture of stuff that obfuscates it, confuses you, and you don't really get the answer, when all you needed was a little tiny symbol on the package that indicated whether it had GE ingredients. So, again, how long does that take? Ten minutes per product? Thirty minutes for the first item on your shopping list as you compare three products? That is not consumer-friendly—3 seconds versus 30 minutes—and that is just the first item on your shopping list. There is not one person in this Chamber who truly believes this is a fair substitute for consumer-friendly information. This is a sham and scam No. 2.

If this QR code had a message on it and this message right here written on the back said ''There are GE ingredients, and for details, scan this code,'' that is consumer-friendly. That is all the consumer wants to know. That is all we are asking for—a consumer-friendly alert. Then that QR code for more information is fine. That is perfectly fine. But without it, nobody even knows why it is there. What is it there for? Is this where you find out information about the company? Is this where you find out information about the new products they are going to be putting out? Is this where you find information about special sales that are going on? Nobody has any idea.

Well, the DARK bill doesn't stop with sham No. 1 and sham No. 2. No, it gives us even more fake labeling because we see it says that a form of labeling is to have no label but to put the information on your Web site. Well, to call that a label is simply a misrepresentation—and ''misrepresentation'' is a fancy word for ''lie''—because there is not any information that even appears on the product. None.

So we say: Well, I was told there would be an 800 number. I am not finding it. I was told there might be a box, and I think it is for finding out if there

are GE ingredients. But I don't find that computer code box, no, because they have adopted door No. 3, and door No. 3 is to put something on some form of social media. But what social media? Are you supposed to go to Instagram or Facebook or Twitter? Nobody has any idea.

So now there is nothing—let me repeat: nothing—on the product. So what could be learned in 1 second by a consumer, now the consumer has fully no idea. And because this whole thing is voluntary, lots of products may just choose to put nothing up.

The proponents of the DARK Act say: No, we have a pathway to more information. If companies don't put up information in the form of a barcode or a phone number or something on a social media Web site, well then we will require something in one of those three areas. That requirement down the road still provides no consumer-friendly information. It is a pathway through a hall of mirrors that leads to a hall of mirrors. It never leads to concrete, simple information.

Don't you know that if you told consumers they would have to go to a Web site to find out if there is vitamin D in the product, that would be ridiculous? It should just be printed on the package.

Don't you know if someone were interested in high fructose corn syrup and they were told they had to dial a call center in the Philippines to find out that information, consumers would say that is absurd? We all know that is the case.

Ninety percent of Americans strongly believe—or believe when given the choice—that there should be this information directly on the label. I am rounding up from 89 percent. Let's round it off. When questioned as to whether there should be information on the label to say whether there are genetically engineered ingredients, 9 out of 10 Americans say yes, there should be, and 70 percent say they feel very strongly about this. So here are our constituents, and 9 to 1, they want us to provide information. But up here on Capitol Hill we have Senator after Senator who does not care what their constituents think. They care only what big Monsanto and friends want, which is to deny Americans the right to know. That is irresponsible. That is wrong.

When we look at this number, you can see by how high it is that this is not partisan because it would be impossible to have a big difference—100 percent of one party and 80 percent of another might round off to 90 percent. But that is not the way it is. Whether you are an Independent, Democrat, or Republican, in all 3 groups, 9 out of 10 individuals, plus or minus a few percentage points, say they want this information on the package.

So here we are with this vast difference in ideologies being displayed by the Presidential debate, from the tea party right to the far left and everything in between. There is disagreement on all kinds of things, but on this, all the citizens agree—the right, left, middle, far left, far right—because it is a fundamental freedom in America to use your dollars based on basic, accurate information. That is a basic freedom that a bunch of Senators on this floor want to take away. It is just wrong to take away the States' rights to answer that request, that need, that desire for information on GE ingredients and not to replace it with a national standard. That is just wrong.

There are folks who say: Wait, I want to be on the side of science, and I don't think there is any kind of scientific information that there is any kind of disadvantage to GE products. Well, that is fundamentally wrong. If you think there are no disadvantages, it is because you don't want to know.

There are benefits, and there are disadvantages. For example, recognize that this tool can be used in ways that produce some good results and some not so good results. That is why it is up to the consumer to decide how they want to use their dollars.

On the good side, we can talk about golden rice. There are parts of the world that primarily eat rice. If they have a vitamin A deficiency, there is rice that can be grown that has been genetically modified to supply more vitamin A and makes for a healthier community. That is a positive.

For example, sweet potatoes grown in South Africa are vulnerable to certain viruses, but they have been genetically modified to resist those viruses so there is more substantive food available to the community. As far as we know, there are no particular side effects, so that is a positive.

There are some interesting ideas that occur about edible vaccine technology. This is an alternative to traditional vaccines, and they are working to have transgenic plants used for the production of vaccines that stimulate the human body's natural immune response. Wouldn't that be amazing if we could essentially inoculate against major diseases in the world through some type of GE, as long as there weren't side effects? Who knows, that may end up being a major benefit.

Just as there are scientifically documented positives, there are scientifically documented negatives. For example, let's talk about our waterways. I put up a chart which shows that since the presentation or production of herbicide-resistant crops, the amount of herbicides put on crops in America has soared. We have gone from 7.4 million pounds in 1994 to 160 million pounds by 2012. It has gone up since. All of that glyphosate is basically being sprayed multiple times a year. It gets into the air, it gets into the plants, it gets into the runoff from the fields, and it goes into our waterways. It has an impact because it is a plant killer. That is what an herbicide is. It kills plants. If you put millions of pounds of herbicide into our rivers, it does a lot of damage.

I will not go through all the studies that have noted this damage. Let me just explain that when you kill things at the base of the food chain, you change the entire food chain. This is true for micro-organisms in sea water, which we refer to as marine systems, and it is very true in micro-organisms in freshwater systems.

Micro-organisms form the basis of food chains and provide ecological services. There are a bunch of studies that show the impact of all this plant-killing herbicide running into our rivers. It affects the soil too. Quite frankly, it even creates some potential for an impact on human health.

Let me explain. Two-thirds of the air and rainfall samples tested in Mississippi and Iowa in 2007 and 2008 contain glyphosate. Those are rain samples and air samples, two-thirds of which contained this herbicide. Well, what we know is that not only do humans absorb some therefrom, but they also absorb some because of residuals in the food. A study published in the Journal of Environmental & Analytical Toxicology found that humans who consumed glyphosate-treated GMO foods have relatively high levels of glyphosate in their urine because it is in their bodies. We also know that glyphosate has been classified as a probable human carcinogen by the International Agency for Research on Cancer, part of the World Health Organization.

Here we have a probable carcinogen present in such vast quantities—present in the rain, present in the air, present in the residuals on the food. That is a legitimate concern to citizens. Does that mean that it is causing rampant outbreaks of cancer? No, I am not saying that. I am just saying there is a legitimate foundation for individual citizens to say: I am concerned about the runoff into our streams. I am concerned about the heavy application and its impact on local plants and animals. I am concerned about the possibility of absorption of anything that might contribute to cancer. That is the citizens' freedom to have those opinions.

This is not a situation where Members of this body should say: We are smarter than they are, and we don't care that they have scientific concerns because, quite frankly, we want to suppress that information. We don't want to give them a choice. We don't want to let them know. It is just wrong. It is wrong to take away States' rights to provide such basic information and not have a consumer-friendly version at a national level. I will absolutely support a 50-State standard so there is no confusion and no cost of overlapping standards or difficulties in what food goes from what warehouse to what grocery store—absolutely support that—but don't strip States from doing something 9 out of 10 Americans care about and then proceed to bury that and not provide that information in the U.S. Senate.

I encourage my colleagues: Simply say no to this Monsanto Deny Americans the Right to Know Act, the DARK Act. Simply say no. Stand up. Have some respect for this institution.

This is a bill that never went through committee. Not a single phrase of this bill went to committee. This is a new creation put on the floor without juris, without consideration on committee, and no open amendment process. How many colleagues across the aisle cried foul over the past years when Democrats were in charge and didn't allow an amendment process? They insisted they would never vote for cloture unless there was a full amendment process that honored the ideas presented by different Senators. But there is no open amendment process here. So there we are—a bad process, mega influence by Monsanto and friends oppressing and stripping the freedom of American citizens. Let's not let that happen.

I have a host of letters I was planning to read, but I see my colleague from Ohio is wanting to speak to this issue, and in fairness to all sides of this debate or ideas that he might want to present, I am going to stop here. If there is an opening later, I would like to return to the floor because of the calls and letters overwhelmingly from citizens stating they resent the Senators in this body trying to strip them of their right to know.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I want to thank my colleague from Oregon, and I am sure he will be back on the floor again to talk about this issue.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. President, I want to address a couple of other issues quickly. One is the last act that this Senate took last week, which was passage of the Comprehensive Addiction and Recovery Act. I didn't have a chance to speak on it because the Senate adjourned at that point, but I just want to congratulate my colleagues for coming together as Republicans and Democrats. It was a vote of 94 to 1. That never happens around this place. It is because people understand the significance of the challenge of heroin and prescription drug abuse and addiction back in our States and wanted to stand up and put forward Federal legislation that would help make the Federal Government a better partner with State and local governments and nonprofits that are out there in the trenches doing their best, with law enforcement who are trying their darnedest, and others in the emergency medical response community who are trying to deal with this issue.

While traveling the State of Ohio the last 3 days, this Senator heard about it constantly. Before I would give a speech, people would come up and say thank you for dealing with this issue because my daughter, my cousin, or my friend is affected. Today, I was with a group of young people talking about other issues, and one said that his cousin at 23 years old had just succumbed to an overdose—died from an overdose of heroin.

This a problem in all of our States. It is a problem where we can help make a difference. I want to congratulate my colleagues, Senator WHITEHOUSE and others, for working with me to put this bill forward. We worked on it over 3 years in a comprehensive way, using the best expertise from around the country.

Now I am urging my colleagues in the House of Representatives to follow suit. Let's pass this legislation. Let's send it to the President's desk for his signature. Let's get this bill working to be able to help our constituents all over this country to better deal with a very real epidemic in our communities.

Now the No. 1 cause of death in my State is overdoses—from these deaths that are occurring from overdoses of heroin and prescription drugs. Again, I congratulate the Senate for acting on that on a bipartisan basis and having thoughtful legislation that is going to make a difference.

READ ALOUD MONTH

Mr. President, I also rise today to speak about something that also affects our young people, which is literacy and learning. This happens to be Read Aloud Month. This U.S. Senate has established the month of March as being the month that we hold up those who read aloud to their kids, because we found it is incredibly important for a child's development—particularly for the ability of a child to become adept at other subjects at school by just being read to and the literacy that results from that.

There is a campaign called the Read Aloud campaign. I congratulate them for the good work they do around the country. They started in my hometown of Cincinnati, OH, so I am very proud of them, but now it is a national effort. In libraries and schools across the country, March is held up as Read Aloud Month, where we encourage parents and other family members to get into the habit of reading to their children, if only for 15 minutes a day. That is all the Read Aloud campaign is asking for. If parents and other caregivers read at least 15 minutes a day to their kids, what an incredible difference it would make.

There is one study that is now quite well known that shows, on average, by the time a child born into poverty reaches age 3, he or she will have heard 30 million fewer words than his or her peers who are not in poverty. What does that mean, 30 million fewer words? It means that those children born into poverty are at a severe disadvantage. It means they can have a lifetime of consequences that are negative for them. The more we learn about the way the brain develops, the more clear it is that verbal skills—like other skills—develop as they are used and atrophy as they are neglected. The younger the children are, the more important this is. So reading to children, particularly younger children, is incredibly important to their development.

Even though this information is now out there and the Read Aloud campaign is doing a great job of getting the education out there, even with all this information we are told that in 40 percent of families in America today parents and other caregivers are not reading to their kids.

There is a doctor at Cincinnati Children's Hospital, Dr. Tzipi Horowitz-Kraus, who is a real expert on this topic. She stated: ''The more you read to your child, the more you help the neurons in the brain to grow and connect.'' So that is the physiological change that occurs.

We also know a child's vocabulary is largely reflective of the vocabulary at home from their parents and caregivers. There is a 2003 study by Elizabeth Hart and Todd Risley studying the impact of this 30 million word gap we talked about between households in poverty and those of their peers. They found that by age 3 the effects were already apparent. Even at that young age, ''trends in the amount of talk, vocabulary growth, and style of interaction were well established and clearly suggested widening gaps to come.'' That is another study out there about what the impact of this is.

There are a lot of adults who might not know how important reading aloud is and don't feel they have enough to do it, but, again, 15 minutes a day is all they are asking. It adds up quickly and can help close this word gap. As parents, it may be the most important single thing we can do to help our children to be able to learn.

Illiteracy or even what is called functional illiteracy—not being illiterate but not being able to read with proficiency—makes it so much harder to do everything, to earn a living, obviously to get a job, and to participate fully in society. It hurts self-esteem. It hurts personal autonomy. Millions of our friends and neighbors are struggling with these consequences every single day. According to the Department of Education, there are about 32 million adults in the United States who can't read. Nearly one out of every five adults reads below a fifth grade level. Nearly the same percentage of high school graduates cannot read. So one out of every five high school graduates not being able to read is an embarrassment for us as a country, our school system, and certainly what is not going on in our families, which again can help to get these kids off to the right start. For these adults who are functionally illiterate or illiterate, they all started with this disadvantage we are talking about, not having this opportunity at home.

Some parents may say: OK, ROB. How do we afford this, because children's books aren't inexpensive. How do you get the online resources you might want to be able to read to your kids, if

not books? I have one simple answer for that, which is get a library card. Our libraries in Ohio and around the country are all into this effort. They have all rallied behind it, and they are all eager to be a part of this.

My wife Jane and I made it a priority to read to our kids when they were growing up, and a lot of that came from books we took out of the Cincinnati and Hamilton County Libraries. It also had the consequence of introducing our kids to the libraries and helped them to become lifelong readers and learners. That is one way for those who are wondering how to begin. Get a library card, go to your library, and get started there.

I am proud Ohio has led the way in this effort. This campaign began in Cincinnati and is now becoming a national movement.

We do talk a lot in this body about education. On a bipartisan basis, we recently passed legislation that had to do with K–12 education reform. I think it was an important step, but one thing it did is it returned more power back to the States and back to our families, which I think is a good thing.

The new law also authorized grant funding for State comprehensive literacy plans, including targeted grants for early childhood education programs—what we are talking about here, early childhood. It made sure those grants are prioritized for areas with disproportionate numbers of low-income families. We also authorized professional development opportunities for teachers, literacy coaches, literacy specialists, and English as a Second Language specialists. These grants will be helpful in empowering our teachers to do their part to help our young people to learn to read. Clearly, our wonderful teachers have a role to play.

To my colleagues, while this is all fine, there is no substitute for the family. There is no substitute for what can happen in a family before the child even goes to school and then while the child is starting school to be able to give that child the advantage of being able to learn more easily. Although I supported that legislation—there are some good things in there—let's not forget the fundamental role all of us play as parents or aunts or uncles or grandparents or other caregivers.

Washington may be the only place on Earth where 30 million words—which is this word gap we talked about, which is less than the length of our Tax Code and regulations—doesn't sound like a lot, but it is a lot, and there is no government substitute to close that 30 million word gap. Ultimately, it is going to be closed by parents, grandparents, uncles, aunts, other caregivers, and brothers and sisters with the help of librarians, teachers, and others. We need to call attention to this issue to let parents know that this 15 minutes a day can make a huge difference. Every little bit counts. Every time you read to the child, you are giving him or her an educational advantage, you are making it easier for them to learn, helping to instill in them a love of learning that will last a lifetime.

Again, I thank the Read Aloud campaign. I am proud of their roots in my hometown and in Ohio. I thank them for all they are doing every day for our kids and for our future.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I wish to continue sharing some information about Monsanto and the Deny Americans the Right to Know Act that is on the Senate floor being debated right now.

The reason I want to turn to this is this is such an egregious overreach of the Federal Government, stripping States of the right to respond to their citizens' desire for clear information, consumer-friendly information, on GE—genetically engineered—ingredients and stripping American citizens of the right to know.

I have already gone through a number of the points that are important in this debate; that if you are going to eliminate the ability of States to provide consumer-friendly information on their label—which can be as simple as a tiny symbol or a letter such as Brazil uses—then there has to be a national standard that provides consumer-friendly information. Certainly, the hall of mirrors embedded in the DARK Act, which says consumers have to call call centers somewhere around the world and maybe they will eventually get an answer to their question about GE ingredients or they have to own a smartphone and have a data plan and take a picture of a computer code and give up some of their privacy in the process in order to try to find out this information or they have to guess where on social media the company has posted some information about the ingredients they have in their product—those three sets of components are completely unworkable, 100 percent unworkable.

Ask yourself if that would be a logical remedy to people trying to find out about the calories in a product. Instead of finding out in one second, it could take them 10 minutes or, for that matter, an hour or they may never even get an answer on the end of that call center because the call center is too busy.

The point is that 9 out of 10 Americans believe this information should be easily available on the label. I went through those numbers before. The numbers are basically the same for Republicans, basically the same for Democrats and Independents—slight variations. Throughout the ideological spectrum, this is something American citizens agree on. Along comes the Monsanto DARK Act and its proponents to say: We don't care that the American people have finally found something to agree on that goes to their core values about the right to know. We are going to stomp out their right to know because we simply don't work for the American people. We don't work for our constituents. We work for some powerful special interest.

That is wrong. I hope the American citizens will let their Senators know it is wrong. They are certainly letting me know how they feel, and I thought I would share some of those with you, but before I do that, I had some inquiries about this situation of basically all citizens throughout the ideological spectrum sharing this same point of view—9 out of 10. Is it also true for gender and age? Let me share that. Specifically, there was a followup question which asked: Does a barcode work to provide information on the label or do you want a physical label stating that there are GE ingredients? Physical label versus this barcode—which people don't even know where it is on the package.

It turns out again it is 90 percent. It is 88 percent of Democrats, 88 percent of Republicans, and 90 percent of Independents say: No, we want the physical label, not some mysterious label that we have to use our smartphone to interpret and give up some of our privacy.

How about men and women—87 percent of men, 97 percent of women.

How about younger and older—those who are less than 50 years old, 86 percent; those who are over 50 years old, 90 percent. Again, basically 9 out of 10 Americans, regardless of gender, regardless of age, regardless of ideology, say: No, this is a fundamental issue of American freedom, my freedom to exercise my choices based on basic information that should be on the label.

Let's turn to some real constituents and some real letters so we are not just talking numbers.

Bertha from Springfield writes:

I urge you to vote against SB 2609 concerning labeling of foods that contain GMOs. Every American has the right to know what they are putting in their bodies. You were elected to represent all Oregonians and protect our rights, be assured I will check yours and every other representatives' voting records before I cast my votes in the future.

Let's turn to Eli from Medford, OR:

I want to hear you come out publicly against S. 2609. Please lead the fight to get GMOs clearly labeled without delay.

Well, Eli, that is exactly what I am doing. I hadn't read your letter before I started speaking out strongly because I fundamentally believe we are here to represent our citizens—not to bow down to special interests—and this is as clear as it gets. This is as straightforward as it could possibly be.

Let's turn to Ms. JC in Salem, OR:

Please, I am requesting you NOT to support (S. 2609) (referred by some as the Dark Act) when it comes up for a vote in the Senate. I know the Senate Agricultural Committee voted 14–6 to pass the Dark Act S. 2609 last week. I believe the government should protect OUR RIGHT TO KNOW what's in our food. Please DO NOT VOTE to block GMO labeling.

She goes on:

Most European nations do not allow these types of food to be grown or sold in their countries. This should give you some information about how people in other countries view genetically modified foods.

Please do not support this legislation. Your constituents will appreciate your support for their right to know what's in the foods we put on our plates to feed to our families.

That is a very personal issue: what you are putting in your mouth, what you are putting on your family's table for your partner and your children. That is a very powerful issue, and here we have Senators who do not care and want to take away that right for something so close to people's hearts.

Let's turn to Sheila in Pendleton, OR:

I want to urge Senator MERKLEY to vote against the S. 2609, which would block mandatory labeling of genetically engineered foods. I urge the Senator to stand up for states' rights and individual rights to know. We have a right to know what is in our food so that we can make educated decisions about the food we eat.

She continues:

The free market can only work when consumers have the information they need to make informed choices. Contrary to what you hear from industry, GMO food labeling will not increase food prices. Companies frequently change labels for all sorts of reasons, without passing those costs on to consumers.

Let me dwell on that point for a moment. It is completely reasonable not to have 50 different State standards that are conflicting, but what is unreasonable is to say that putting simple information on the label—consumer-friendly information—costs a dime because that label is printed at the same cost whether or not it includes a symbol that says ''This food contains GE ingredients.'' It doesn't cost any more to print the calories on the label, doesn't cost any more to put the vitamin D content, doesn't cost any more to print a symbol or a phrase or an asterisk indicating there are GE ingredients. So let's just be through with that argument that somehow there is a cost issue.

Ronald from Medford writes:

Oppose S. 2609, the anti-GMO labeling bill. Allow States to enact their own GMO labeling laws.

And that is a point—States' rights. I hear all the time from colleagues here on this floor about States' rights, that the Federal Government should treat States as a laboratory to experiment with ideas, to see if they work, to perfect ideas that might be considered for national adoption. And isn't that exactly what Vermont is—a State laboratory that is implementing a bill on July 1? And we could all watch and see whether it works.

On July 1, there will be no conflicting State standards because there is only one State involved—Vermont. So we don't have to have confusing labels going from different warehouses to different States because there is just one State putting forward a standard. So it is an opportunity for us to view that as a laboratory and see how it works. Other States might want to copy if it works well, or they might want a different version. Then the Senate could say: You know what, now we have conflicting State standards, and let's address the core issue, which is a consumer-friendly indication on the package, and get rid of the conflicting State standards. That would be a fair and appropriate role for this Senate to play.

But to crush the only State laboratory that is about to come into existence in exchange for nothing but a hall of mirrors that does not give any reasonable opportunity for the consumer as a shopper to find out the information they need—the information they can get in 1 second by looking on the label but would instead take 10 minutes or 30 minutes or they may not even be able to get it at all while standing there in the grocery store looking at the very first product on their list.

Joshua of Eugene says:

Please support the public's right to know what food has GMO contained in it and work to defeat the DARK Act.

Additionally, I fully support also the public's right to know where their food comes from, the country of origin, as well as what nutritional content is in all food eaten in restaurants.

So he is suggesting that we should expand this conversation to restaurants. For now, let's talk about packaged foods. And he is also commenting on country of origin.

I want to live in a nation where, if I choose to buy the produce grown in America, I get to buy the produce grown in America. I want to live in a nation where, if I choose to buy the meat raised in America and support American ranchers, I get to support American ranchers. It may simply be because I want to help out my fellow countrymen. It may be because I think they have superior produce or make a superior product, a type of meat. It may just be patriotism. But it should be my right to know where that food is grown.

We have a law, country-of-origin labeling, that does exactly that because consumers want to know. It isn't about what steak to put in your mouth; it is about where the food was grown.

It so happens that we are part of a trade agreement—the World Trade Organization—that says our labeling of where pork and beef are grown is a trade impediment. I couldn't disagree more. We have lost case after case in the WTO over this topic. Finally, we had to take country-of-origin labeling off of our beef and off of our pork. We haven't had to take it off our other meats, other produce. I hope we get to the point where we can fully restore our country-of-origin labeling because it matters to Americans.

What kind of country are we when we don't even have the right to buy our fellow citizens' produce and our fellow citizens' meat? Talk about stripping away freedom. Yet here comes a group of Senators on this floor who want to further strip the rights of consumers. No wonder American citizens are angry with their government. No wonder they are angry specifically with Congress, that they rate us so unfavorably, below 10 percent. No wonder they are cynical because of things like this, where we ignore the fundamental desires of citizens and instead cave in to a powerful special interest. That is not the way it is supposed to be in the United States of America.

Terry of Lake Oswego writes:

GMO free food is information we need to have. I need the right to decide what to eat and feed my family. If the food industry want[s] to produce foods without meeting certain standards, using whatever they want to make their product, sell foods to us, what protection do we have? Do we really know the long term effects of altered food ingredients?

Well, Terry, no, we don't know all the effects, but we do know there is a series of potential benefits and a series of problems. Those problems are the massive runoff of herbicide—which is a name for plant-killing chemicals—massive runoff of plant-killing chemicals into our streams. There are plants in our streams—algae, microorganisms—that are the fundamental basis of the food chain, and that makes a difference. We do know this herbicide is classified as a potential human carcinogen by the World Health Organization. We also know those who eat GMO food end up with more glyphosate—that is herbicide—in their body.

But it is up to you, Terry, to decide whether you have concerns about this. You should get to decide. No Senator can come to this floor, Terry, and say: I know better. I want to strip your ability to make a decision because I know everything. And you know what. I don't care about the scientific research; I just want to serve these powerful ad companies that don't want you to know. So too bad, Terry, and too bad to the 90 percent of Americans, 90 percent of Democrats, 90 percent of Republicans, 90 percent of Independents, 90 percent of women, 90 percent of men—I am rounding off but pretty close—90 percent of the young. Too bad for all of that because Senators here want to deny you the information on which to make the decision you are asking for.

Gail of Portland, OR, says:

Please do all you can to defeat S. 2609. It is my understanding that under this bill, it would be illegal for States to require GMO labeling, even though polls show that 93 percent of Americans support labeling efforts.

Well, Gail, I don't have the poll you have that says 93 percent of Americans support labeling, but I do have this poll done in November 2015 by a reputable pollster that says 89 percent. So let's take your 93 percent and let's take this poll's 89 percent and just agree that basically 9 out of 10 Americans want this information on the product. And when asked if they want it in the form of a mysterious barcode that compromises

their privacy if they use it—they don't even know why it is on the product—or they want it in terms of a simple statement or symbol, they want the simple statement or symbol.

So, Gail, thank you for your letter.

William of Chemult, OR, said:

I was distressed to learn that the Senate Agriculture Committee last week approved the voluntary GMO labeling. . . . This would be a disaster if it became law. As your constituent, I'm writing to ask you to oppose this and any other scheme that would make GMO labeling voluntary.

William, I am sorry to report that it is even worse than voluntary because an actual label is banned by this bill. A State cannot put a real label or symbol on the product. Instead, this is the anti-label bill. It says you have to put on things so the customer can't see there are GE ingredients. It has banned putting clear, simple, consumer-friendly information on the product. Instead, it proposes a wild goose chase where you have to call some call center somewhere, some 800 number somewhere and hope that you can get through the phone tree; hope that eventually they will stop saying: Because of call volume, it will be another 30 minutes before we can talk to you; hope that somehow when you get to that call center, it is not staffed by folks who speak the English language with such an accent that you don't even understand what they are saying or they do not understand what you are saying.

It is even worse, William, because they want to put a barcode on as a substitute, with no indication for the purpose of this barcode, so that it is just a mystery. Why is this there? I don't know. Does this tell you about their upcoming products? Does this tell you about advertisements for discounts if you take your smartphone and you snap on this? Because the only way that barcode has value—and every Senator in this room knows this fact—it only has value if you tell the consumer why that barcode is on the package. If it says ''This product has GE ingredients. For details, scan this bar code,'' then that is a valuable contribution, but without that indication, this is just another wild goose chase taking customers on a crazy adventure with no real information when they could have had a symbol that in 1 second answered their question.

And, William, it gets worse. If you can believe it, it gets worse, because under this voluntary standard, what counts as a nonlabel—not only a 1–800 number or a barcode or a computer code of some sort—what also counts is putting something in social media somewhere. Well, what social media? There are a hundred different social media companies. How are you possibly supposed to discover, even if you wanted to, what the information is on that product?

All of this is designed, William, to prevent you from getting the information you want right on the package with a simple little symbol—not a symbol that is pejorative, not a symbol that is scary—chosen by the FDA just to give you the information. Brazil uses a ''t'' in a triangle. That would be fine. It doesn't really matter what the symbol is because citizens who want to know can find out that indicates there are GE ingredients. But, no, that would be giving you information, and the goal of the Monsanto Deny Americans the Right to Know Act is to prevent you from getting information.

I want to turn to Anna in Beaverton, OR. Anna says:

I wanted to ask that you share with your colleagues that this bill is insulting to the intelligence of Americans, limits citizens the right to make safe choices when purchasing food; hamstrings diet and medical professionals who treat, among other things, food allergies and therefore could result in an allergic person ingesting a food fraction that could result in a serious, even fatal, allergic reaction.

Here is the point: This bill is an insult to the intelligence of Americans. Anna, you have this right. This is about Senators who do not respect your intelligence, who do not honor your right to make a decision as a consumer. They know that this is an incredibly popular idea to put a symbol or phrase on a package to indicate it has key ingredients because citizens want to know. The Members here know this, and they don't care because they want to make the decision for you. They do not want to allow you freedom to make your own choices. They do not consider you to be an adult. They want to treat you like a child who is fed only the information they want to give you.

So, Anna, I am deeply disturbed about this insulting legislation that tears down the intelligence of our American citizens, that says to the 9 out of 10 Americans in every State in this Union that we want to strip away your ability to make your own choice.

Keri from Eugene writes: ''Why are we protecting large conglomerates and processed food companies instead of protecting the American people and the land?''

Well, that is a good question, Keri. I suppose it is because these companies make huge donations under the constitutional decisions of our Supreme Court.

It is a very interesting story about the evolution of our country. When our forefathers got together to draft the Constitution, they had a vision of citizens having an equal voice. That decision was somewhat flawed, as we all know—flaws we corrected over time related to race, related to gender. But the fundamental principle was that citizens got to have an equal voice.

What they pictured was this: They pictured a town commons, which cost nothing to participate in, and each citizen could get up and share their view in that town commons, could share their view before the town voted, or could share that view equally with the person representing them in Congress. This is what Thomas Jefferson called the mother principle—that we are only a republic to the degree that the decisions we make reflect the will of the people. He said for that to happen, the citizens have to have an equal voice. Those are the words he used: ''equal voice'' and ''mother principle.'' Lincoln talked about the same thing: equal voice as the foundation of our Nation.

So when you ask the question, Keri, about why are we protecting large conglomerates at the expense of where the American people stand, you have to go back 40 years ago to a case called Buckley v. Valeo. In Buckley v. Valeo, the Supreme Court stood this principle—the mother principle of equal voice—on its head because now we have a commons that is for sale. The commons is the television. The commons is the radio. The commons is the information on Web sites.

They basically said that Americans could buy as much of that commons as they want. So instead of an equal voice, Jefferson's mother principle, we instead have a completely unequal voice. Those with fabulous wealth have the equivalent of a stadium sound system, and they use it to drown out the voice of ordinary Americans.

Then a couple of years ago, on a 5-to-4 decision of the Supreme Court, they doubled down on the destruction of our ''We the People'' Nation. They tore those three words out of the start of our Constitution, and they did so by saying: You know what. We are going to allow the board members of a corporation to utilize their owners' money for the political purposes that the board wants to use, and they don't have to even inform the owners of the company that they are using their money for these political purposes. So we have this vast concentration of power in corporations because corporations are large. If they have a small board, the board says: We want to influence politics in this fashion, and we don't even have to tell the owners about it. So that is a hugely additional destructive force on top of Buckley v. Valeo. There is nothing in the Constitution that comes close to saying that corporations are people, and there certainly is nothing that says a few people who sit in the decisionmaking capacity should be able to take other people's money and spend it for their own political purposes. It was never envisioned.

Between these decisions over several decades, we have destroyed the very premise of our Constitution, Thomas Jefferson's mother principle, that we are only a republic to the degree that we reflect the will of the people.

That is the best I can do, Keri, to explain how it is possible that this bill, which flies in the face of 9 out of 10 Americans, has made it to this floor. This bill didn't go through committee. We have leadership in this body that pledged regular order. They were going to put things through committee and bring bills to the floor that had been passed by committee. But this hasn't been. That is how much, as Keri put it,

''large conglomerates'' are influencing what happens here in this Senate.

Judith of Grants Pass says:

Please do NOT support [this bill] that would block states from requiring labels on genetically modified foods. People have a right to know [whether or not they are considered safe].

She is right. She is absolutely right. It is whether or not there they are considered safe. This isn't a scientific debate. There is science of concerns—science that I have laid out here on the floor. There is also science about benefits. But that is not the issue. The issue is a citizen's right to make their own decision. If they are concerned about the massive increase in herbicides and the destruction it does to the soil, they have a right to exercise that in the marketplace. If they are concerned about the massive amount of runoff of herbicides affecting the basic food chains in our streams and rivers, they have that right. If they are concerned about the fact that there has been some movement of genes from crops to related weeds that then become resistant to herbicides, that is their business. If they are concerned that Bt corn is producing superbugs resistant to the pesticide, that is their business.

These are not phantom ideas or phantom concerns. These are scientifically documented concerns. None of this says it is unsafe to put in your mouth. I hear that all the time: Well, it is not unsafe to put these GE things in your mouth. But here is the thing: That isn't the basis on which we label. We label things people care about, and there are implications to how things are grown and their impact.

For example, we have a Federal law that says grocery stores have to label the difference between wild fish and farmed fish. Why is that? Well, there are implications to what happens in different types of farms, and citizens are given a heads-up by this law, and they can decide. They can look into it and see if it is a concern. They may not be at all concerned about how catfish are raised in a farm setting, but they may be very concerned about how salmon are raised in farm settings because we find there are some bad effects of salmon raised in pens in the ocean that transfer disease to wild salmon. That is their right. They get to look into that. We give them that ability by requiring this information be on the package.

I don't hear anyone in this Chamber standing up right now and saying they want to strip our packages of the information of wild fish versus farmed fish. We have basic information on packages regarding whether juice is fresh or whether it is created from concentrate because citizens care about the difference. So we give them this basic information to facilitate their choice. And that is the point: We facilitate their choice.

Kimberly writes in:

I am writing you today to urge you to vote no on . . . [anything that would] block Vermont's . . . [bill].

The right to know what we eat is critical.

Richard from Portland writes: ''I urge you to filibuster, if need be, to stop the 'Dark Act.' ''

Well, I would like to do that, RICHARD. I would like to do anything I can to slow this down so the American people know what is going on. But here is the level of cynicism in this Chamber: Last night, when the majority leader filed this bill, which has never gone through committee, he simultaneously filed a petition to close debate. Under the rules of the Senate, that means, after an intervening day, there is going to be a vote, and there is no way that my speaking here day and night can stop it because it is embedded in the basic rules.

However, I can try to come to this floor several times and lay out these basic arguments and hope to wake up America to what is being plotted and planned in this Chamber right now. So that is what I am trying to do. I hope that it will have an impact. I hope that when the vote comes tomorrow morning after this intervening day—Tuesday being the intervening day—that my colleagues will say this is just wrong—stripping from Americans the right to know something 9 out of 10 Americans want, stripping States of the ability to respond to their citizens' desires, shutting down a single State laboratory in Vermont when there is no conflict on labels at this point because only one State is implementing a law.

I hope that they will say: You know what. This should be properly considered in committee. This bill should be in committee. It should be given full opportunity when it does come to the floor—and I assume it would—to be openly amended so that anyone who wants to put forward an amendment would be able to do so. That is the way the Senate used to work.

When I was here as an intern in 1976, I was asked to staff the Tax Reform Act of that year. I sat up in the staff gallery. At that point there was no television on this floor; therefore, nobody outside this room could track what was going on. There were no cell phones. There was no other way to convey what was occurring. So the staff sat up in the staff gallery, and when a vote was called, you would go down the staircase to the elevator just outside here. You would meet your Senator, and you would brief your Senator on the debate that was happening on that amendment. That is what I did—amendment after amendment, day after day. Then, as soon as that amendment was voted on, there would be a group of Senators seeking recognition of the Presiding Officer, and you would hear everyone simultaneously go, ''Mr. President,'' because the rule is that the Presiding Officer is supposed to recognize the very first person he or she hears, and so everyone tried to be first the moment that an amendment was done, the moment the vote was announced. Well, with all those people simultaneously seeking the attention of the Chair, it is really impossible for the Chair to sort out exactly who is speaking first. So they call on someone on the left side of the Chamber, and then, when that amendment was done an hour later—because they would debate it for an hour and hold the vote; when the vote was done, they called on somebody on the right side of the Chamber. They worked it back and forth so that everyone got to have their amendment heard. That is an open amendment process.

I have heard many of my colleagues across the aisle call for that kind of process when the Democrats were in charge, and I support that kind of process. I supported it when I was in the majority; I support it when I am in the minority. Everything I have proposed or talked about to make this Senate Chamber work better as a legislative body I have supported consistently, whether I am in the majority or whether I am in the minority.

So here is the thing. We have the opposite of that right now. We don't have the Senate of the 1970s, where Senators honor their right to debate and have an open amendment process. That would really change this. That would provide an opportunity for all viewpoints to be heard. We would never have had a cloture motion filed within seconds of the bill first being put on the floor, and it would have been incredibly rare for a bill that had not gone through committee to be put on the floor.

We have to reclaim the legislative process, and right now we don't have it. So that is a great reason to vote no tomorrow morning. Voting no tomorrow morning is the right vote if you believe in States' rights. It is the right vote if you believe in the consumers' right to know, the citizens' right to know. And it is the right vote if you believe we shouldn't have a process in this Chamber that just jams through something for a powerful special interest at the expense of the 9 or 10 Americans who want this information.

So tomorrow, colleagues, let's turn down this insult to the intelligence of Americans, this assault on States' rights, this deprivation, this attack on the freedom of our citizens.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Iowa.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, the next Supreme Court Justice could dramatically change the direction of the Court. And the majority of this body believes the American people shouldn't be denied the opportunity to weigh in on this question. We believe there should be a debate about the role of Supreme Court Justices in our constitutional system.

With that in mind, I wanted to spend a few minutes discussing the appropriate role of the Court. Before I turn to that, I wish to note that the minority leader continues his daily missives on the Supreme Court vacancy.

Most of us around here take what he says with a grain of salt. So, I am not going to waste time responding to everything he says. I will note that this is what he said in 2005 when the other side was filibustering a number of circuit court nominations, and a few months before they filibustered the Alito nomination to the Supreme Court:

The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give presidential nominees a vote. It says appointments shall be made with the advice and consent of the Senate. That is very different than saying every nominee receives a vote.

With that, I will turn to the appropriate role of a Justice under our Constitution. Part of what makes America an exceptional Nation is our founding document. It is the oldest written Constitution in the world. It created a functioning republic, provided stability, protected individual rights, and was structured so that different branches and levels of government can resist encroachment into their areas of responsibility. A written Constitution contains words with fixed meanings. The Constitution, and in many ways the Nation, has survived because we have remained true to those words. And our constitutional republic is ultimately safeguarded by a Supreme Court that enforces the Constitution and its text.

Our Constitution creates a republic where the people decide who will govern them, and by what rules. The Supreme Court can override the people's wishes only where the Constitution prohibits what the people's elected officials have enacted. Otherwise, the Court's rulings are improper. Stated differently, the Justices aren't entitled to displace the democratic process with their own views. Where the Constitution is silent, the people decide how they will be governed.

This fundamental feature of our republic is critical to preserving liberty. The temptation to apply their own views rather than the Constitution has always lurked among the Justices. This led to the Dred Scott decision. It led to striking down many economic regulations early in the last century. And Americans know all too well in recent decades that the Supreme Court has done this regularly. Justice Scalia believed that to ensure objectivity rather than subjectivity in judicial decision-making, the Constitution must be read according to its text and its original meaning as understood at the time those words were written.

The Constitution is law, and it has meaning. Otherwise, what the Court offers is merely politics, masquerading as constitutional law. Justice Scalia wrote that the rule of law is a law of rules. Law is not Justices reading their own policy preferences into the Constitution. It is not a multifactor balancing test untethered to the text. We all know that Justices apply these balancing tests to reach their preferred policy results.

The Court is not, and should not, be engaged in a continuing Constitutional Convention designed to update our founding document to conform with the Justices' personal policy preference. The Constitution is not a living document. The danger with any Justice who believes they are entitled to ''update'' the Constitution is that they will always update it to conform with their own views. That is not the appropriate role of a Justice. As Justice Scalia put it, ''The-times-they-are-a-changin' is a feeble excuse for disregard of duty.''

Now, when conservatives say the role of Justices is to interpret the Constitution and not to legislate from the bench, we are stating a view as old as the Constitution itself. The Framers separated the powers of the Federal Government.

In Federalist 78, Hamilton wrote, ''The interpretation of the laws is the proper and peculiar province of the courts.'' It is up to elected representatives, who are accountable to the people, to make the law. It is up to the courts to interpret it.

These views of the judicial role under the Constitution were once widely held. But beginning with the Warren Court of the 1960s, the concept took hold that the Justices were change agents for society. Democracy was messy and slow. It was much easier for Justices to impose their will on society in the guise of constitutional interpretation.

Acting as a superlegislature was so much more powerful than deciding cases by reading the legal text and the record. The view took hold that a Justice could vote on a legal question just as he or she would vote as a legislator. Perhaps the Framers underestimated what Federalist 78 called the ''least dangerous branch,'' one that ''can take no active resolution whatever.'' Since the days of the Warren Court, this activist approach has been common: striking down as unconstitutional laws that the Constitution doesn't even address.

Now, to his credit, President Obama has been explicit in his view that Justices aren't bound by the law. While he usually pays lip service to the traditional, limited, and proper role of the Court to decide cases based on law and facts, he is always quick to add that on the tough cases, a judge should look to her heart or rely on empathy.

The President's empathy standard is completely inconsistent with the judicial duty to be impartial. Asking a Justice to consider empathy in deciding cases is asking a Justice to rule based on his or her own personal notion of right and wrong, rather than law.

As I have said, everyone knows this President won't be filling the current vacancy. Nonetheless, the President has indicated he intends to submit a nomination. That is ok. He is constitutionally empowered to make the nomination. And the Senate holds the constitutional power to withhold consent, as we will. But as we debate the proper role of the Court, and what type of Justice the next President should nominate, it is instructive to examine what the President says he is looking for in a nominee.

The President made clear his nominee, whoever it is, won't decide cases only on the law or the Constitution. He wrote that in ''cases that reach the Supreme Court in which the law is not clear,'' the Justice should apply his or her ''life experience.''

This, of course, is just an updated version of the same standard we have heard from this President before. It is the empathy standard. Of course, a Justice who reaches decisions based on empathy or life experience has a powerful incentive to read every case as unclear, so they have a free hand to rely on their life experiences to reach just outcomes.

The President also said any Justice he would nominate would consider ''the way [the law] affects the daily reality of people's lives in a big, complicated democracy, and in rapidly changing times. That, I believe, is an essential element for arriving at just decisions and fair outcomes.''

With all respect to the President, any nominee who supports this approach is advocating an illegitimate role for the Court. It is flatly not legitimate for any Justice to apply his or her own personal views of justice and fairness.

Perhaps most troubling is the President's statement that any nominee of his must ''arrive[] at just decisions and fair outcomes.'' That is the very definition of results-oriented judging. And it flies in the face of a judge as a fair, neutral, and totally objective decisionmaker in any particular case. A Justice is to question assumptions and apply rigorous scrutiny to the arguments the parties advance, as did Justice Scalia.

Under the President's approach, a Justice will always arrive where he or she started. That isn't judging. That is a super-legislator in a black robe. In our history, regrettably, we have had Justices who embraced this conception. Chief Justice Warren was infamous for asking, ''Is it just? Is it fair?'' without any reference to law, when he voted.

Justice Scalia's entire tenure on the Court was devoted to ending this misplaced and improper approach. In reality, a Justice is no more entitled to force another American to adhere to his or her own moral views or life experiences than any other ordinary American.

Imposition of such personal biases subjects citizens to decrees from on high that they can't change, except through constitutional amendment. And those decrees are imposed by officials they can't vote out of office.

This is not the constitutional republic the Framers created. The American people deserve the opportunity during this election year to weigh in on

whether our next Justice should apply the text of the Constitution, or alternatively, whether a Justice should rely on his or her own life experiences and personal sense of right and wrong to arrive at just decisions and fair outcomes. Senate Republicans will ensure the American people aren't denied this unique and historic opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I listened to what my good friend from Iowa said about the standards that he is afraid an Obama nominee would utilize. I note that in the dozens and dozens of cases—probably hundreds—that Obama nominees have been voted on, my friend from Iowa did not mention a single case where they applied it to anything but the law, and I suspect that standard would apply to anybody the President would nominate.

Now, Mr. President, on another matter, I want to set the record straight. Contrary to the remarks of the Senate majority leader yesterday, Vermont has not recently passed a GE food-labeling law. I mention that because I am old-fashioned enough to like to have things clear and accurate in this Chamber.

It was in May 2014—nearly 2 years ago—that after 2 years of debate, more than 50 committee hearings featuring testimony from more than 130 representatives on all sides of the issue, the Vermont Legislature passed and the Governor of Vermont signed into law a disclosure requirement for genetically engineered ingredients in foods.

Now, in this body: After one hearing 5 months ago that was only tangentially related to the issue, and without any open debate on the floor, the Republican leadership has decided that it knows better than the State of Vermont. Today we are being asked to tell Vermonters and constituents in other States with similar laws that their opinion, their views, and their own legislative process simply doesn't matter because we can decide on a whim to ignore them. We are actually being asked to tell consumers that their right to know isn't, frankly, theirs at all.

I think in my State, in the Presiding Officer's State, and all the other Senators' States, consumers think they have a right to know. Now we are telling them: Not so much.

I hear from Vermonters regularly and with growing frequency that they are proud of Vermont's Act 120. It is a law that simply requires food manufacturers to disclose when the ingredients they use are genetically engineered. It doesn't tell them they can't use those ingredients; it simply says: Consumers have a right to know. Tell us what you are doing.

Vermonters are concerned and some are actually outraged that the Congress is trying to roll back their right to know what is in the food that they give their families. Vermont is not the only State whose laws are under attack; we just happen to be the State with the fastest approaching deadline for implementation.

The bill we are considering today is a hasty reaction—a reaction with no real, open hearing—in response to a 2-year-old law that is set to finally take effect and doesn't fully take effect until the end of this year. Instead of protecting consumers and trying to find a true compromise, this bill continues the status quo and tells the public: We don't want you to have simple access to information about the foods you consume. You don't need to know what is in the food. Trust us. We know better. We, Members of the Senate, know better than you do, so we are not going to let you know what is going on. It is no wonder that people get concerned.

Vermont's law and others like it around the country are not an attack on biotechnology. Vermont's law and others like it merely require factual labeling intended to inform consumers. All we are saying is, if you are going to buy something, you ought to know what you are getting. If you want to buy it, go ahead. Nobody is stopping you. But you ought to be able to know what is in it.

Producers of food with GE products have nothing to hide. Let's take Campbell's, which is a multibillion-dollar brand. It is certainly one of the biggest brands in this country. They are already taking steps to label their products. They have to do that to comply with similar laws in other countries. They said: Sure, we will comply, and we will label our packages.

Our ranking member on the Agriculture Committee, Senator STABENOW, has had commitments from other CEOs in the food industry who are ready and able to move ahead with labeling and national disclosure. They actually know that consumers really care about what they are getting. Now the U.S. Senate wants to tell those millions of consumers ''You have no right to know. We are going to block your chance to know, and we are going to keep you from knowing what is in your food.'' And some of these large companies are saying that they agree with the consumer. An asterisk, a symbol, a factual notation on a product label is not going to send our economy into a tailspin and cause food prices to spiral out of control.

Again, let's get rid of the rhetoric. I heard some on the floor in this Chamber argue that Vermont's labeling law will cost consumers an average of $1,000 more per year on food purchases. Wow. The second smallest State in the Nation passed a law that simply tells companies to disclose the ingredients in the food consumers are buying, and somehow that law is going to cost consumers $1,000 more per year in food purchases? If the claim wasn't so laughable, we might be able to ignore it. But we found out where that cost estimate came from. It came directly from a study paid for by the Corn Refiners Association and is based on every single food manufacturer in the United States eliminating GE ingredients from their food. We are not asking anybody to eliminate anything—this is not what anyone is asking companies or farmers to do. We are just saying: If I buy something and I am going to feed it to my children—or in my case, my grandchildren—or my wife and I are going to eat it, I would kind of like to know what is in it. All we are asking for is a simple label.

At a time when too much of the national discourse is hyperbolic at best, why don't we set an example for the rest of the country? Try a little truth in this Chamber. GE labeling should be the least of our woes.

In fact, the bill before us today is an attack on another Vermont law. That law has been on the books for only, well, 10 years. Oh my God, the sky is falling. It is actually similar to a law that is on the books in Virginia these are genetically engineered seed labeling laws. Farmers in both Vermont and Virginia have benefited from this law, and those selling seed to other States have complied with it. Why preempt State laws that have worked well for 10 years and with which companies are already complying? Are we going to do that because one or two companies that are willing to spend a great deal of money feel otherwise?

GE labeling is about disclosure. It gives consumers more information, more choices, and more control on what they feed themselves and their families. If we hide information from the consumers, we limit a measure of accountability for producers and marketers.

I don't know what people are trying to hide. Our producers and marketers in Vermont are proud to showcase not just the quality of their products but the methods by which they are produced. We are not blocking our markets to anybody, whether it is GE foods or otherwise. If it works, we ought to give people a choice. Why have 100 people here say: Oh no, we know better than all of you.

I am a proud cosponsor of Senator MERKLEY's bill. It provides for a strong national disclosure standard. It would give manufacturers a whole variety of options to disclose the presence of GE ingredients in their food, and they can pick and choose how they do it.

I am equally grateful to Senator STABENOW. She has fought hard to negotiate a pathway toward a national disclosure standard. We should not move forward with this bill without an open and full debate. We shouldn't just say to consumers throughout the country: We know better than you.

I am not going to support any bill that takes away the right of Vermont or any State to legislate in a way that advances consumer awareness. If we don't want to have a patchwork of State disclosure laws, then let's move

in the direction of setting a national mandatory standard. Some of the biggest food companies in this country are moving forward and complying with Vermont's law.

This week is Sunshine Week, so let's hope the Senate rejects efforts to close doors and not let the American public know what is in their food. I hope they will oppose advancing this hastily crafted legislation and work towards a solution that actually lets the consumers in Texas, Iowa, Vermont, or anywhere else know what is in their food.

I see the distinguished majority deputy leader on the floor. I have more to say, but I will save it for later.

The PRESIDING OFFICER. The Senator from Iowa.

FOIA IMPROVEMENT ACT OF 2015

Mr. GRASSLEY. Mr. President, last week, when the Senate passed the Comprehensive Addiction and Recovery Act, I spoke on this floor about the good work that is getting done in the Senate since Republicans took over. Time and again, we have seen both sides of the aisle come together to find practical solutions to real problems facing the American people.

That is the way the Senate is supposed to work, and we need to keep that momentum as we move forward to tackle other critical issues.

As chairman of the Judiciary Committee, I continue to be proud of the role we have played in getting work done in a bipartisan manner.

Today, on the floor of the Senate, we are doing that once again. We are passing another Judiciary Committee bill that carries strong, bipartisan support. We are passing another Judiciary Committee bill that solves real issues and is supported by folks on all ends of the political spectrum.

Don't get me wrong. Finding agreement on both sides of the aisle is no easy task. Even the most well-intentioned efforts can get bogged in the details.

But the fact that we are here today is a testament to good-faith negotiations and a commitment to make government work for the American people. And it is another indication of what this institution can be and what it was meant to be.

The FOIA Improvement Act makes much-needed improvements to the Freedom of Information Act, and its passage marks a critically important step in the right direction toward fulfilling FOIA's promise of open government.

I am proud to be an original co-sponsor of the FOIA Improvement Act, and I want to thank Senator CORNYN and the ranking member of the Judiciary Committee, Senator LEAHY, for their tireless, bipartisan work to advance this bill through the Senate.

I am especially proud that the bill's passage occurs during this year's Sunshine Week, an annual nationwide initiative highlighting the importance of openness and transparency in government.

Every year, Sunshine Week falls around the birthday of James Madison, the father of our Constitution. This isn't by mistake.

Madison's focus on ensuring that government answers to the people is embodied in the spirit of FOIA, so passing the FOIA Improvement Act this week is a fitting tribute to his commitment to accountable government and the protection of individual liberty. And it is an opportunity for us all to recommit ourselves to these same higher principles.

This year marks the 50th anniversary of FOIA's enactment. For over five decades, FOIA has worked to help folks stay in the know about what their government is up to. The Supreme Court said it best when it declared: ''The basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed.''

To put it simply, FOIA was created to ensure government transparency, and transparency yields accountability.

After all, a government that operates in the dark, without fear of exposure or scrutiny, is one that enables misdeeds by those who govern and fosters distrust among the governed. By peeling back the curtains and allowing the sunlight to shine in, however, FOIA helps fight back against waste, fraud, and abuse of the taxpayer's dollar.

No doubt, FOIA has successfully brought to light numerous stories of government's shortcomings. Through FOIA, folks have learned about public health and safety concerns, mistreatment of our Nation's veterans, and countless other matters that without FOIA would not have come to light.

But despite its successes, a continued culture of government secrecy has served to undermine FOIA's fundamental promise.

For example, we have seen dramatic increases in the number of backlogged FOIA requests. Folks are waiting longer than ever to get a response from agencies. Sometimes, they simply hear nothing back at all. And we have seen a record-setting number of FOIA lawsuits filed to challenge an agency's refusal to disclose information.

More and more, agencies are simply finding ways to avoid their duties under FOIA altogether. They are failing to proactively disclose information, and they are abusing exemptions to withhold information that should be released to the public.

Problems with FOIA have persisted under both Republican and Democrat administrations, but under President Obama, things have only worsened, and his commitment to a ''new era of openness'' has proven illusory at best.

In January, the Des Moines Register published a scathing editorial, outlining the breakdowns in the FOIA system and calling on Congress to tackle the issue head-on.

The editorial described: ''In the Obama administration, federal agencies that supposedly work for the people have repeatedly shown themselves to be flat-out unwilling to comply with the most basic requirements of the Freedom of Information Act.''

It continued: ''At some federal agencies, FOIA requests are simply ignored, despite statutory deadlines for responses. Requesters are often forced to wait months or years for a response, only to be denied access and be told they have just 14 days to file an appeal.''

According to the editorial: ''Other administrations have engaged in these same practices, but Obama's penchant for secrecy is almost unparalleled in recent history.''

These are serious allegations, and no doubt, there are serious problems needing fixed.

So reforms are necessary to address the breakdowns in the FOIA system, to tackle an immense and growing backlog of requests, to modernize the way folks engage in the FOIA process, and to ultimately help change the culture in government toward openness and transparency.

What we have accomplished with this bill—in a bipartisan manner—is a strong step in the right direction.

First, the bill makes much-needed improvements to one of the most overused FOIA exemptions. It places a 25-year sunset on the government's ability to withhold certain documents that demonstrate how the government reaches decisions. Currently, many of these documents can be withheld from the public forever, but this bill helps bring them into the sunlight, providing an important and historical perspective on how our government works.

Second, the bill increases proactive disclosure of information. It requires agencies to make publicly available any documents that have been requested and released three or more times under FOIA. This will go a long way toward easing the backlog of requests.

Third, the bill gives more independence to the Office of Government Information Services. OGIS, as it is known, acts as the public's FOIA ombudsman and helps Congress better understand where breakdowns in the FOIA system are occurring. OGIS serves as a key resource for the public and Congress, and this bill strengthens OGIS's ability to carry out its vital role.

Fourth, through improved technology, the bill makes it easier for folks to submit FOIA requests to the government. It requires the development of a single, consolidated online portal through which folks can file a request. But let me be clear: it is not a one-size-fits-all approach. Agencies will still be able to rely on request-processing systems they have already built into their operations.