

appointed around 1988 to fill a vacancy, then was re-elected to the 14-judge panel repeatedly until he retired in 2004 after being elected Chief Judge in 2001. From 2004 to 2009 he was required to substitute as necessary.

"I made the mistake of buying a bunch of cattle. I've been an avid reader all my life, and I made plans that when I retired I was just going to sit up here (in my office) and read. I haven't gotten through ten percent of them and I'm 84 years old."

Reminiscing once more on WKU, Tom concluded, "I worked at a filling station greasing cars and changing tires during high school. If it had not been for Western; if Dr. Cherry had decided not to set a building in Bowling Green . . . I'd probably still be doing that today."

NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD

Mr. LEAHY. Mr. President, I wish to join my colleague from Michigan, the ranking member of the Senate Agriculture Committee, Senator STABENOW, in a colloquy regarding the scope of the products that could be labeled under the GMO labeling legislation.

Does the Senator from Michigan believe that the definition of GMO included in this bill prohibits the labeling of highly refined products derived from GMO crops, including soybean oil made from GMO soybeans, high fructose corn syrup made from GMO corn, and sugar made from GMO sugar beets?

Ms. STABENOW. I thank the Senator from Vermont for joining me in this colloquy for the purpose of bringing greater clarity to the definition included in this bill and the scope of GMO products that could be labeled.

The intent of this legislation is to create a national mandatory disclosure standard for GMO foods. This bill gives USDA broad authority to determine, through rulemaking and with important input from the public and scientific community and after review of both State and international laws, what foods will be subject to this bill's mandatory disclosure standard, including highly refined products derived from GMO crops and products developed using gene editing techniques. The USDA general counsel, in a response letter dated July 1, stated that the Department has broad authority under this bill to require labels on GMO foods and products, including all commercially available GMO corn, soybeans, sugar beets, and canola crops used in food today.

To answer your specific question, no, this bill does not prohibit the labeling of highly refined products derived from GMO crops including soybean oil made from GMO soybeans, high fructose corn syrup made from GMO corn, and sugar made from GMO sugar beets.

Mr. LEAHY. Does the Senator from Michigan also believe that the definition of GMO food included in this bill prohibits the labeling of ingredients from plants genetically modified through new and yet to be developed gene editing techniques in addition to the recombinant DNA editing technique mentioned in the bill?

Ms. STABENOW. No, the bill does not prohibit the labeling of products developed using gene editing techniques, including RNAi and CRISPR. Additionally, the bill gives the USDA broad authority to periodically amend its labeling regulations to ensure that there are no new scientific biotechnology methods that may escape any overly prescriptive statutory definition of biotechnology.

Mr. LEAHY. I thank the Senator from Michigan for joining me in this colloquy for the purpose of bringing greater clarity to the congressional intent regarding the definition of GMO products contained in this bill.

I ask unanimous consent that the USDA general counsel's response letter dated July 1, 2016, be printed in the RECORD.

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

UNITED STATES DEPARTMENT
OF AGRICULTURE,
July 1, 2016.

Hon. DEBBIE STABENOW,
Ranking Member, Senate Committee on Agriculture, Nutrition, and Forestry, Washington, DC.

DEAR SENATOR STABENOW, Thank you for your letter of June 29, 2016, inquiring as to the scope and applicability of the GMO labeling legislation currently pending before the U.S. Senate. The United States Department of Agriculture, as the lead implementing agency, has carefully studied this legislation from legal, program policy, and scientific aspects. I will respond in turn below to the questions raised in your letter.

(1) Please explain whether the GMO Labeling Law provides authority to the USDA to require labeling of food products that contain widely used commodity crops, like corn, soybeans, sugar, and canola, which have been genetically modified, as defined by Section 291(1)?

Section 291(1) of the Senate bill provides authority to include food in the national disclosure program, including all of the commercially grown GMO corn, soybeans, sugar, and canola crops used in food today and reviewed and approved by USDA's Biotechnology Regulatory Service.

(2) Please explain whether the GMO Labeling Law provides authority to the USDA to require labeling of food products that contain genetically modified material, which result from gene editing techniques?

Section 291(1) of the Senate bill provides authority to include food in the national disclosure program, including products of certain gene editing techniques. This would include novel gene editing techniques such as CRISPR when they are used to produce plants or seeds with traits that could not be created with conventional breeding techniques. In addition, the definition provides authority to include RNAi techniques that have been used on products such as the non-browning apple and potato.

(3) Please explain whether the GMO Labeling Law provides authority to the USDA to require labeling of food products, which may or may not contain highly refined oils, sugars, or high fructose corn syrup that have been produced or developed from genetic modification techniques, as defined by Section 291(1)?

Section 291(1) of the Senate bill provides authority to include food in the national disclosure program, including products which may or may not contain highly refined oils,

sugars, or high fructose corn syrup that have been produced or developed from genetic modification techniques. As a practical matter of implementation, the Department would look not only at the definition in Section 291(1) regarding the genetically modified crops used to produce the refined or extracted materials, but also consider authority provided under Section 293(b)(2)(B) and Section 293(b)(2)(C) with respect to the amount of a bioengineered substance present and other factors and considerations which might deem the product to be considered bioengineered food.

If needed, my team and our USDA programmatic and scientific experts are available to discuss any aspects of the legislation in greater detail at your request. Please do not hesitate to reach out.

Sincerely,

JEFFREY M. PRIETO,
General Counsel.

ASSASSINATIONS OF ENVIRONMENTAL ACTIVISTS

Mr. LEAHY. Mr. President, it has been 4 months and 8 days since Berta Caceres, an internationally respected indigenous Honduran environmental activist, was shot and killed in her home. Ms. Caceres had led her Lenca community in a campaign over several years against the Agua Zarca hydroelectric project financed in part by a Honduran company, Desarrollos Energeticos, DESA, on the Gualcarque River, which the Lenca people consider to be sacred.

Honduran police officers tampered with the crime scene, and they and some Honduran government officials sought early on to falsely depict the killing as a crime of passion. But that dishonest strategy failed, and five individuals were subsequently arrested, including a DESA employee and active duty and retired army officers, for which Honduran Attorney General Oscar Fernando Chinchilla and investigators provided by the U.S. Embassy deserve credit.

It is widely believed, however, that the intellectual authors of that horrific crime remain at large. While the attorney general's investigation is continuing, as it should, I and others have repeatedly called on the Honduran Government to also support a thorough, independent, international investigation of the Caceres case under the auspices of the Inter-American Human Rights Commission. Given Honduras's history of impunity for such crimes and the public's understandable distrust of the justice system, it is imperative that such an inquiry be conducted expeditiously.

Ms. Caceres' death was one of scores of killings in the past decade of environmental activists, journalists, human rights defenders, and other social activists in Honduras. Hardly anyone has been punished for any of those crimes. In fact, the rate of conviction for homicide in Honduras is less than 5 percent.

If that were not bad enough, just 2 weeks after Ms. Caceres's death, Nelson Garcia, another indigenous environmental activist, was fatally shot in Rio

Chiquito after helping dozens of residents move their belongings when government authorities evicted them from land they had occupied.

And on July 6, 2016, Lesbia Janeth Urquia, also a member of the indigenous rights organization COPINH, Civic Council of Popular and Indigenous Organizations of Honduras, which Ms. Caceres led, was found stabbed to death. Her body was left at a municipal garbage dump in the town of Marcala in the western department of La Paz. It is shocking that her death was reportedly one of four murders in a period of 5 days in that town alone, which tragically illustrates the appalling extent of lawlessness in Honduras today.

No one has been arrested for Ms. Urquia's assassination, and it is too soon to assign a motive, but there are disturbing similarities with the Caceres case.

In the first place, before conducting an investigation, the police speculated publicly, without citing any credible evidence, that the crime was the result of a robbery, a family dispute, or extortion. This is what we have come to expect of some members of the Honduran police.

Beyond that, Ms. Urquia had reportedly been at the forefront of a community struggle against a privatized hydroelectric project along the Chinacla River in Marcalas, La Paz. Like Agua Zarca, the Chinacla project has the support of top Honduran Government officials and was being implemented without the consent of the local communities whose lives will be most disrupted by it.

Last year the Congress, with my support, provided \$750 million to help El Salvador, Guatemala, and Honduras address the poverty, violence, injustice, and other factors that contribute to the flood of unaccompanied minors to the United States. On June 29, 2016, the Senate Appropriations Committee, again with my support, approved another \$650 million for these countries.

A portion of these funds is for direct assistance for their central governments and is subject to the Secretary of State certifying that they have met certain conditions. In the case of Honduras, how that government resolves conflicts with local communities over the exploitation of natural resources, such as the Agua Zarca and Chinacla hydro projects and others like them, and its investigations of the killings of Berta Caceres, Nelson Garcia, Lesbia Uruia, and other activists will factor heavily in whether I will support the release of those funds.

The government's efforts to protect civil society activists and journalists, who for years Honduran Government officials and law enforcement officers have treated as criminals and legitimate targets for threats and attacks, will also be a factor.

I have followed events in El Salvador, Guatemala, and Honduras since the 1980s. I have watched governments in those countries come and go. They

have all shared a tolerance for corruption and impunity, and I regret to say that, despite this, they were supported by the United States. Top officials and their families have gotten rich, while the vast majority of the population is trapped in poverty and struggle to survive.

During those years the United States spent billions of dollars on programs purportedly to raise living standards, reform the police, and improve governance. The results have been disappointing. While there are many explanations, I believe the lack of political will on the part of those governments and the willingness of successive U.S. administrations to ignore or excuse the corruption and abuses played a big part. We owe it to the people of those countries and to American taxpayers to not repeat those costly mistakes.

Finally, it is important to note that the persecution and killings of environmental activists is a worldwide phenomenon, as documented by Global Witness in its June 2016 report "On Dangerous Ground." More than three people were killed each week in 2015 defending their land, forests, and rivers against destructive industries.

The report lists 185 killings in 16 countries—the highest annual death toll on record and more than double the number of journalists killed in the same period. In Brazil alone, 50 such activists died. Just last week, we learned of the assassination of Ms. Gloria Capitan, an environmental activist who opposed the construction and presence of coal stockpile facilities in Lucanin, Bataan province of the Philippines.

So in this regard, Honduras is not unique, but its government is seeking substantial economic and security assistance from the United States. In order for us to justify that assistance, the Honduran Government needs to demonstrate that it has met the conditions in our law and is taking the necessary steps to bring those responsible for these crimes to justice.

NATIONAL GASTROPARESIS AWARENESS MONTH

Ms. BALDWIN. Mr. President, I would like to bring attention to the estimated 5 million Americans suffering from gastroparesis in observance of National Gastroparesis Awareness Month in August.

Gastroparesis is a chronic medical condition in which the stomach cannot empty properly in the absence of any observable blockage. The condition can affect people of all ages, but it is four times more likely to affect women than men. The symptoms of gastroparesis, which include nausea, vomiting, and inability to finish a normal-sized meal, can be debilitating and sometimes life threatening. The condition can lead to malnutrition, severe dehydration, and difficulty managing blood glucose levels.

While there is no cure for gastroparesis, some treatments, such as dietary measures, medications, procedures to maintain nutrition, and surgery, can help reduce symptoms. Unfortunately, gastroparesis is a poorly understood condition, and so patients often suffer from delayed diagnosis, treatment, and management of this disorder. As such, further research and education are needed to improve quality of life for this patient population.

I want to recognize the important efforts of the International Foundation for Functional Gastrointestinal Disorders, IFFGD, an international organization based in my home State of Wisconsin, as well as other patient organizations, in providing education and support to help those affected by gastroparesis.

I urge my fellow colleagues to join me in recognizing August as National Gastroparesis Awareness Month in an effort to improve our understanding and awareness of this condition, as well as support increased research for effective treatments for gastroparesis. Furthermore, I encourage the Department of Health and Human Services to recognize and include Gastroparesis Awareness Month in their list of National Health Observances.

Thank you.

TRIBUTE TO GENERAL LLOYD J. AUSTIN III

Mr. MCCAIN. Mr. President, today I honor an exceptional military leader and warrior. After nearly 41 years—a lifetime of service to our Nation—GEN Lloyd J. Austin III retired from the U.S. Army, having served most recently as the commander of U.S. Central Command. On this occasion, I believe it is fitting to recognize General Austin's many years of uniformed service to our Nation.

Over the course of his military career spanning more than four decades, General Austin took on many of the toughest assignments; he led troops in combat. Most recently, he served as the combined forces commander, overseeing the military campaign to defeat ISIL in Iraq and Syria. General Austin's stellar career was also filled with a number of firsts. He was the first African American to command an Army division in combat, the first to command an Army corps in combat, the first to command an entire theater of war, and the first African-American Vice Chief of Staff of the Army and commander of U.S. Central Command. But this quiet warrior does not focus on his own accomplishments, and he never takes his eyes away from the mission.

General Austin is a soldier's soldier. He earned a well-deserved reputation as a leader others wanted to follow into battle. On many occasions, they did. Many soldiers have talked about General Austin's inspiring leadership, particularly under demanding conditions, including combat. He was gifted with