

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND FOR OTHER PURPOSES—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of conference report to accompany H.R. 2112, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2112), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, having met, have agreed and do recommend to their respective Houses that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same; that the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

Ms. MIKULSKI. I ask unanimous consent that committee report be considered as read.

The PRESIDING OFFICER. The report is considered read. Under the previous order, there will be 2 hours of debate, equally divided, between the two leaders or their designees.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on behalf of the conference committee. I rise as the chair of the Subcommittee on Commerce, Justice, and Science, one of the three subcommittees in the conference report. The other is agriculture. Senator KOHL will be coming to the floor to speak on behalf of his bill that is part of the conference, and others will speak.

I wish to speak on the Commerce-Justice bill. I am pleased the Senate is considering the conference agreement on fiscal year 2012. As I said, I am CJS. Senator KOHL will speak on agriculture. Senator PATTY MURRAY managed the bill on transportation and housing. She is the chair, and I am sure either she or her designee will speak about a subcommittee we affectionally call THUD.

But let me talk about the CJS conference agreement. This is a great agreement. It is the product of bipartisan and bicameral compromise and cooperation. I wish to thank my ranking member, Senator KAY BAILEY HUTCHISON and her excellent staff. We worked hand in hand on this bill.

I wish to talk about our colleagues in the House. Much is made about the prickly situation sometimes between the House and the Senate. But I wish to thank Chairman FRANK WOLF and ranking member CHAKA FATTAH for their bipartisan support. There was give and take; sometimes stormy exchanges. But at the end of the day, we worked cooperatively and collegially.

So as we look at the process, what I wish to say is that the conference

agreement itself is a good one. Our bill, the CJS bill, totals \$52.7 billion in discretionary spending. We were frugal. It is \$600 million below the 2011 level, and it is \$5 billion below the President's request.

The purpose of this bill is to help create American jobs, make our streets and our neighborhoods safe from violent crime and terrorism, and to support innovation and technology so America can continue to be an exceptional Nation.

It also promotes trade. We do this through our Federal agencies: the Commerce Department, through its Economic Development Administration, Patent Office, International Trade Administration, and the Census Bureau. It also has important agencies related to innovation: the National Institutes of Standards and the National Oceanic and Atmospheric Administration.

Our bill also has in it the Department of Justice, NASA, and the National Science Foundation.

It has a lot of important things in it. It is also a bill that promotes justice, including the Commission on Civil Rights, the Equal Employment Opportunity Commission, and the Legal Services Corporation.

Within shrinking funding levels, the CJS conference agreement prioritizes activities that focused on creating jobs, saving lives, protecting communities, and looking out for the future of our country.

The subcommittee faced two very pressing problems that are critical to life and safety. One, our weather satellites. We had to come up with a substantial chunk of money to make sure we had those important new weather satellites that tell us about hurricanes, tornadoes, and other things that are coming. Also, we had a real challenge in providing adequate funding for America's prison population.

These activities are not considered mandatory for budget purposes, but they are not truly discretionary. We had an obligation to fund them. We also had an obligation to provide security funding to the two conventions, to help them underwrite their security concerns.

Together, the bare minimum needed for the new JPSS satellite and prison expenses is nearly \$800 million—\$350 million for prisons—and we were able to meet that obligation.

We also looked out for our law enforcement, for our State and local police departments. This bill provides \$2.2 billion to support our Blue Line to keep our police safe, to protect them with the equipment they need, such as bulletproof vests, so they can protect us with modern tools relating to crime scene analysis, forensic science, and enough cops on the beat.

We funded Byrne grants at \$370 million, a main Federal tool for State and local police operations.

In terms of Federal law enforcement, we met obligations to the FBI and funded them at \$8 billion; our Drug En-

forcement Agency at \$2 billion; the Bureau of Alcohol, Tobacco, and Firearms and the Marshals Service, each at \$1.2 billion. Our marshals no longer necessarily ride the planes, but what they are out there doing is serving the warrants that go after sexual predators and also make sure they fulfill their responsibility to protect our Federal judiciary at the courthouses. Those Federal law enforcement actions are at our borders, in our streets, in our communities, and in important task forces protecting our communities.

In terms of science and innovation, I am proud of what we did with NASA—from the space shuttle legacy to our new vehicles for space exploration. We also funded the James Webb Space Telescope, which will be the successor to the Hubble. It is 100 times more powerful and will assure America's place as a leader in astronomy for the next 30 years.

Our conference agreement was \$17.8 billion. It is a balanced space program. It ensures the continuity or continuation of human space flight, does important work in space science, and also bold research in aeronautics, so we can be at the cutting edge.

We also funded the National Science Foundation, which continues to do that groundbreaking innovative work that the private sector works off of. This year, three Americans shared the Nobel Prize for physics. One was Dr. Adam Riess at Johns-Hopkins. He used the Hubble space telescope to look out for dark energy, to look at decaying supernovas, and found out that the expansion of the universe was speeding up.

The 2011 Nobel Prize in chemistry winner, Dr. Dan Shechtman, was working at the National Institute of Standards and Technology—which this bill also funds—when he discovered new subatomic particles. Both discoveries were considered unexpected and even game changers. These Nobel Prize winners were those wonderful Americans who make use of whether it was the Hubble telescope or the kind of work that goes on in our chemistry labs. So we are out there winning the Nobel Prizes, but our bill lays the groundwork for winning the markets.

On the floor is the chairman of the full committee, Senator INOUE, and also Senator KOHL, who managed the bill and will speak for Agriculture. There are many things I could say about what we did in the bill, but I think I have summarized the basic themes.

I will be available to answer any questions from colleagues. I also want the chairman of the full committee to have an opportunity to speak and certainly Senator KOHL and Senator BLUNT. I want to say to Senator BLUNT, when Senator KOHL had to be temporarily off the floor, I thank him for working with me. We moved this bill and showed we knew how to govern and move legislation. If we work this way, we will get America moving again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, first I thank Chairman BARBARA MIKULSKI for her valiant work in the conference.

As we are all aware, the congressional budget process has faced unprecedented obstacles over the past year. We have struggled to find common ground on one of the most basic responsibilities of Congress—funding the operations of the Federal Government.

Earlier this year, we saw politically charged threats of government shutdowns, culminating with an irresponsible debt ceiling standoff that brought our economy to the brink of disaster. The American people are deeply frustrated that many in Congress put partisanship ahead of the national interest.

Yet, despite these challenges, we now consider legislation that reflects the good-faith efforts and input of Members of both sides of the aisle in both the House and Senate. Given current fiscal and political realities, this is no small accomplishment.

The conference report before us today includes three fiscal year 2012 appropriations measures: Agriculture; Commerce, Justice, Science; and Transportation, Housing and Urban Development. This legislation also includes a continuing resolution that funds government operations through December 16, giving Congress time to finish its work on the remaining funding bills.

These bills are focused on a number of basic priorities: job creation, public safety, science, nutrition, housing, and transportation. Due to the stringent funding limits included in the Budget Control Act, which established a discretionary spending level that is \$7 billion below last year's level, many items in these bills are not funded to the levels I would prefer.

As we all await the outcome of the supercommittee, I again remind my colleagues that we cannot balance the Nation's books on the back of non-defense discretionary spending.

Despite our reduced spending levels, I am pleased that we have been able to maintain investments in several critical areas.

Public safety is a top priority of this bill. The conference report before us provides the resources necessary for the Food and Drug Administration to begin implementation of the Food Safety Modernization Act, which will better protect the American people from foodborne illnesses.

The funding levels provided in the conference agreement for the Federal Bureau of Investigation; the Drug Enforcement Agency; Bureau of Alcohol, Tobacco, Firearms and Explosives; and the U.S. Marshals Service will prevent layoffs and furloughs of Federal agents, enabling the agencies to continue their critical missions with regard to public safety.

The funds provided will also allow for increased law enforcement on the

Southwest border. I note that the bill maintains funding for COPS hiring grants, which were eliminated in the original House bill.

The conference report before us funds an additional 11,000 new housing vouchers for homeless veterans. It includes \$500 million for competitive TIGER surface transportation grants, as well as nearly \$2 billion for new transit rail projects, and it maintains Federal support for Amtrak.

This bill includes more than \$12 billion for basic research at the National Institute of Standards and Technology, the National Science Foundation, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration.

This research will plant the seeds for new discoveries that not only win Nobel Prizes, but also earn profits and create American jobs in our highly competitive global economy.

The conference report before us represents thousands of compromises on issues large and small. It represents, in no small measure, the way the Congress of the United States is meant to function.

The credit for this accomplishment rests with the members of the subcommittees and their staffs. I thank the leadership of the three subcommittees, Senators KOHL, MIKULSKI, MURRAY, BLUNT, HUTCHISON, and COLLINS for their exceptional efforts in completing these three bills.

We all recognize that we would not have been able to accomplish this task without the countless hours put in by the staff of the subcommittee. I want to take a moment—I think it is important—to recognize them for their efforts.

I want to publicly thank Galen Fountain, Jessica Arden Frederick, Dianne Nellor, Bob Ross, Molly Barackman-Eder, Gabrielle Batkin, Jessica Berry, Jeremy Weirich, Jean Toal-Eisen, Molly O'Rourke, Alex Keenan, Meaghan McCarthy, Rachel Milberg, Dabney Hegg, Stacy McBride, Rachel Jones, James Christoferson, Allen Cutler, Goodloe Sutton, Courtney Stevens, Heideh Shahmoradi, Brooke Hayes Stringer, Carl Barrick, and Mike Clarke. They are the ones who should be receiving the medal this evening.

This conference report is the culmination of a process that includes countless hours of hearings, markups, debate, negotiations, and posting online—and I underline this—all of the hearing testimony and legislative text for any citizen to review. Finally, it represents the one essential ingredient to a functioning democracy that has been in short supply in recent months: compromise.

I urge my colleagues to vote in favor of this measure and send it to the President for his signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this conference report contains agreements

between the House and Senate on three appropriations bills.

These bills support a wide range of important Federal Government activities. It also includes an extension of the continuing resolution that expires on Friday.

The conference report is the product of negotiations that have taken place with the other body's conferees over the past several weeks.

I commend the chairmen and ranking members of each of the subcommittees for the thoughtful manner in which they have undertaken their responsibilities. I also thank the staff members for their diligence and the many long hours they have spent in the performance of their duties and bringing us to this point.

The practice of combining multiple appropriations bills into a single package is not ideal, nor should it be encouraged. I would prefer, and I know other Senators would as well, that we have the opportunity to consider, offer amendments, and vote on the bills individually.

This summer, the months during which we normally debate appropriations bills, Congress and the President were wrangling over legislation to increase the debt ceiling and other matters. While the committee moved quickly to report bills in September, we are now more than a month into the new fiscal year and are only now approaching enactment of the first three appropriations bills. I don't know how or when we will be able to actually complete action on all these measures, but I want the Senate to know that the members of this committee, under the very able and distinguished leadership of Senator INOUE from Hawaii, have done everything within our power to try to get the Senate to move quickly but carefully to approve these bills.

So, Mr. President, without prolonging the debate and knowing other Senators are here to speak, let me just say that we have the restraints of the Budget Control Act, which were respected by the Appropriations Committee. Caps were included that locked in recent cuts in discretionary spending, and that is holding future discretionary growth below the rate of inflation. The act we are passing will bring discretionary spending as a percentage of GDP to the lowest levels since the Eisenhower administration.

I am confident the House and Senate will work together in the coming weeks to complete our negotiations on these and other appropriations bills that will fully comply with the guidance set out in the Budget Control Act. Today, we are making a good start with these three appropriations bills, and I urge support for the conference report.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I support the conference report, which includes appropriations for Agriculture, Rural Development, and the Food and Drug

Administration. I am pleased that we followed the regular process to get to this point. It has not always been an easy process, but it has produced a good and well-balanced bill.

Overall spending levels in this bill are closer to the Senate bill than the House-passed bill. The conference bill is consistent with our allocation and includes a nondisaster spending level of \$19.565 billion, compared to \$19.78 billion in the Senate and \$17.253 billion in the House. This funding level allowed us to protect important ongoing programs, while continuing to reduce spending from last year.

Some of the highlights of the conference report funding levels are as follows:

For the WIC Program, we were able to provide an additional \$36 million above the Senate, bringing total funding to \$570 million above the House level.

The Emergency Food Assistance Program, which provides assistance to food pantries, is funded at the fully authorized level of \$140 million.

The Food and Drug Administration is funded at the Senate level of \$2.497 billion, including increased funding to begin implementation of the Food Safety and Modernization Act.

The Food Safety and Inspection Service is funded at \$1.004 billion, an increase of more than \$32 million above the House level.

The Public Law 480 Program, which provides international food assistance, is funded at \$1.466 billion, an increase of \$426 million above the House level.

Agricultural research funded through the Agricultural Research Service and the National Institute of Food and Agriculture is funded at \$2.297 billion, an increase of \$282 million above the House level.

Disaster relief funds for the Emergency Watershed Protection Program, Emergency Conservation Program, and the Emergency Forest Restoration Program were provided based on the latest USDA estimates.

Beyond these important funding items, we also rejected many of the controversial policy riders that were included in the House bill. Among them were a provision prohibiting any food aid for North Korea, which would tie the hands of U.S. negotiators; a provision blocking enforcement of the Energy Independence and Security Act; and a provision blocking participation in a global climate change task force, as well as others.

Again, I think this is a well-balanced bill. We worked hard with our House counterparts to identify and maintain priorities that benefit the American people. I would like to again thank Senator BLUNT for his help during this entire process. His insights were extremely valuable.

Mr. President, I urge my colleagues to vote in favor of this conference report.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I am pleased to join Senator KOHL in supporting the conference report, and I particularly want to talk about the agricultural programs in the report.

This is my first year as the ranking member of the agriculture subcommittee, and I have certainly enjoyed working with the chairman. He has been generous and kind to me, including me in many of these discussions.

In these days, it is no small feat for an appropriations bill to get through the Senate in what is pretty close to regular order, and so I am glad we were able to work closely together to get that done. I hope we can do the same thing next year and have hearings and floor time to pass the Agriculture, Rural Development, FDA bill again next year and maybe in a way that is even closer to the timing and the order we would like to see.

The conference report we are considering today reminds us that we can and should return to the regular way of doing business on appropriations bills. Even though the conference report includes three separate bills, they were all vigorously debated on the floor, and more than two dozen amendments were accepted. The process has certainly yielded a better outcome than a large omnibus appropriations bill would have.

The chairman has reviewed the details of the Agriculture bill, so I will touch on only a few of the highlights.

Discretionary spending for agriculture programs is \$350 million below the fiscal year 2011 level and significantly below the fiscal year 2010 level. We are slowly but surely reining in discretionary spending.

To reduce overall spending, we have made difficult decisions. Most programs in the bill that related to agriculture were reduced by 5 percent. We have, however, prioritized those programs that protect the public health and help maintain the strength of our Nation's agricultural economy.

I am particularly pleased we have been able to maintain funding for formula research and competitive agricultural research programs in this bill. Smart investments in American agriculture have been made by the Federal Government for well over a century now, and this bill continues that process of promoting competitiveness and is critical to helping our farmers increase production and produce a food supply that is safe, abundant, and affordable.

With unemployment still hovering around 9 percent, now is not the time to place unnecessary restrictions on the competitive marketplace. Therefore, this plan prohibits the Department of Agriculture from moving forward with a costly and burdensome rule—GIPSA—that Agriculture released earlier this year. This rule would have negatively impacted poultry and livestock markets and damaged the overall strength of the farm economy.

I am also glad the Agriculture bill includes funding to help farmers and communities recover from natural disasters. Missouri has seen unprecedented devastation from both tornadoes and flooding this year. Funding included in this bill for the Emergency Watershed Protection Program and the Emergency Conservation Program is necessary to help those areas recover. It is important that we support our farmers as they clear debris and as they regrade and rehabilitate their land for the next growing season.

As the ranking member of the agriculture subcommittee, I have limited my comments to agricultural funding, but I would be remiss if I didn't point out the significant contributions of the Commerce, Justice, Science Subcommittee and the Transportation, and Housing and Urban Development Subcommittee in developing this conference report.

This bill, although it may have been referred to as the agriculture minibus, doesn't do justice to the great efforts of my colleagues, Senators MIKULSKI, MURRAY, HUTCHISON, and COLLINS, and their staffs. They have all contributed a lot of time and effort to get this report this far. It is not exactly what any of us would have done, but none of us are exactly in charge of doing it all by ourselves.

I hope my colleagues will join me and join Senator KOHL in supporting this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I appreciate the distinguished Senator from Missouri for managing the bill for our side because there are three appropriations bills included in this package. I am also pleased that we are actually passing appropriations bills that have been amended and debated in the Senate the way it ought to be done.

I am also very pleased to talk about the Commerce, Justice, Science, and Related Agencies bill, which is the subcommittee on which I am the ranking member. The chairman, Senator MIKULSKI, has already spoken earlier this evening on the bill and what is in it and how we put it all together.

I can't thank Senator MIKULSKI enough for being the kind of chairman who could really bring people together, bring the House Members together, where we had some significant differences. I believe she and I were on the same page, that we have national priorities in this bill, and we ensured that those priorities were met because they are so important for our country. It wasn't easy. As has been said by everyone who has spoken, difficult choices had to be made. We had an allocation that was \$583 million below the fiscal year 2011 continuing resolution level. It was \$4.7 billion below the President's request.

This bill is also in accordance with the Budget Control Act that passed on August 2, 2011. I just want to mention

on that point that all of the appropriations bills that have gone through the Appropriations Committee this year have met the Budget Control Act requirements. That is something I think we should have done and certainly something we were expected to do.

There are some Members, however, who will be speaking against these bills. They wanted a different standard from the standard we set, which was below the fiscal year 2011 continuing resolution and below the President's request. But that is the standard we should have met, and we did.

We struck a balance between the competing interests of law enforcement, terrorism, research, and competitiveness through investing in science. I think the chairman, Senator MIKULSKI, spoke about the specifics of that, but I want to highlight some of the programs of national interest that I was particularly insistent that we focus on.

We have worked hard to ensure that law enforcement receives the priority funding needed to protect our Nation, our communities, our children, and the victims of crime. That was a particular point that Senator MIKULSKI made and with which I agree.

We have also made sure the FBI has the resources it needs to continue its major role in the global mission of counterterrorism and counterintelligence. Director Robert Mueller has seen the largest transition of the agency certainly in modern times, but maybe ever—a transformation from a traditional crime-fighting organization into an intelligence-driven, threat-focused law enforcement organization and a full member of the U.S. intelligence community since 9/11.

A lot of people are going to say: Well, gosh, why would you increase the FBI? Well, because they are a part of our national security today. They are no longer just a domestic crime-fighting agency—though very important but nevertheless a smaller function. They are part of our U.S. intelligence agencies that are helping us fight terrorism all over the world. So we funded them, and I am glad we did.

We have also included language to encourage the Department of Justice to maintain its current fiscal year 2011 level of funding that focuses on the southwest border. This is so important, as we read about the atrocities happening in Mexico and on our border, some of which have begun to spread across the border, and drug cartels are becoming increasingly emboldened.

I was talking to someone in the law enforcement community today who has had very high positions in our government, and he said those drug cartels are terrorists. I agree with him. Those drug cartels are terrorists. What they are doing to innocent people is atrocious. So we are encouraging and we have given the money to the Justice Department for the southwest border.

The El Paso Intelligence Center is another important program that is one

of our first safeguards along the border. It is a national tactical intelligence center that supports law enforcement in the United States, Mexico, and the whole Western Hemisphere. It is the Drug Enforcement Administration's most important intelligence-sharing entity focusing on all things related to our borders.

Another important program in this bill is the State Criminal Alien Assistance Program which we funded to provide Federal assistance to the States and localities that are incurring the costs of incarcerating undocumented criminal aliens who have been accused or convicted of State and local offenses. We know there are counties throughout our country that do not have big budgets. Yet we have illegal alien criminals who are being put in county jails and city jails and it is important for the Federal Government and it is the Federal Government's responsibility to pay for housing those illegal alien criminals. We have done so in this bill.

I was also pleased to work with Senator MIKULSKI and JON KYL, the Senator from Arizona, to include more money for the U.S. Marshals Service for its mission along the southwest border, including detention construction and security upgrades in southwest border Federal courthouses.

The last thing I wish to mention is that we had a very moving ceremony yesterday honoring the significant astronauts—they are all significant, but some of those who took the first chance to go where no human being had ever been, and we honored them with the Congressional Gold Medal, which is the highest honor Congress can bestow on a civilian: John Glenn, the first American to orbit the Earth, Neil Armstrong and Buzz Aldrin, the first and second men to walk on the Moon, the Americans who did that, and they were ferried there by Michael Collins, who landed Apollo 11.

We talked, and the speeches were very uplifting, about the importance of space exploration and what it has done for our country. It has clearly been an economic boon to this country. It has created jobs, it has created better quality of life, and it has also inspired generations of scientists. With the significant support of Senator MIKULSKI, we were able to give NASA the funding it needs to assure that we have not only the vision that was established by Congress in the 2010 authorization bill but the funding to achieve the vision going forward.

Since our space shuttle program has been shut down, we are now on a mission to provide a commercial crew vehicle to take our astronauts to the space station, where we are doing scientific research, and we have fully funded the launch vehicle that is going to take our astronauts beyond Earth orbit and into the asteroid and, hopefully, Mars. That funding has started with this appropriations bill that is going through this year.

So we will have our launch system and our Orion capsule that will be the next generation of space exploration for our country, and Senator MIKULSKI and I agreed on that priority, along with the Webb telescope, which is a very significant scientific priority, that we would assure that those priorities were met. We support the emerging commercial space companies to bring cargo and astronauts to the space station, and our investment for discovery on the space station as well as the science that is gotten from these wonderful, incredible telescopes that fly out there in space and gather information.

NASA has now released its design for the heavy launch vehicle that will be able to carry our astronauts in the Orion crew vehicle to the Moon, the asteroid, and beyond. Now that that decision has been made, we can focus on the future and on moving human exploration forward. NASA has announced its commitment to the path that Congress authorized, and now we are providing the funds to accomplish the development of that rocket.

Chairman MIKULSKI and I have strived to produce a bill that reflects not only the Senate's priorities but the needs of our Nation. Not only do I commend her and all the Senators who have a part in passing these bills and the House Members who also have a significant part, but our staffs did a lot of the work in making sure these priorities were met. Her staff, Gabrielle Batkin, Jessica Berry, Jean Toal Eisen, Jeremy Weirich, and Molly O'Rourke did wonderful work and were so close in concept and in close relationships and working relationships with my staff, James Christoferson, Goodloe Sutton, and Allen Cutler.

I recommend our bill. I think we stayed within the budget resolution, the Budget Control Act we passed, but we set the priorities, and I am very pleased to offer it to the Senate tonight.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask to be notified after 5 minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mr. SESSIONS. I appreciate the work of the sponsors on this difficult piece of legislation.

There is so much we would like to do. But every American knows that when they are in debt, they have to cut back on spending. But Washington remains in denial. This bill is a statement that Washington does not take seriously the extraordinary dangers imposed by our debt. It is bizarre that we passed on to a committee of 12 the job of achieving deficit reduction while at the same time working to increase the deficit with bills such as this one.

After the first 2 years of the Obama administration in which nondefense discretionary spending surged 24 percent—not counting the stimulus—it

should not be difficult for us to find reductions that can be achieved in these three bills that have been cobbled together as a mini omnibus. But instead of doing the hard work and finding things we can reduce the spending for and bringing this bill in with a reduction—a real reduction—in spending, we now have a piece of legislation that is moving forward with increases. In fact, what this amounts to and what we are seeing in the committee of 12, the supercommittee, in their secret work is apparently a demand by our Democratic colleagues that taxes be substantially increased to fund the spending level we have been on.

I recently also addressed some of the gimmicks I believe this bill uses to conceal more spending than is apparent. One of these gimmicks, creating the false appearance of cash savings in mandatory spending, was actually increased, in this current version of the bill, in conference. That is why I introduced the Honest Budget Act: to confront these continuing problems.

Senator OLYMPIA SNOWE and I believe these kind of gimmicks, such as on mandatory spending and claims of reductions that are not real, need to be eliminated from our process as they help cause the great deficit we are in.

I think it is particularly offensive that the bill is being represented as a spending cut, even though that was the most minute spending cut of \$1 billion, when, in truth, it clearly increases spending. We need real cuts, not minuscule cuts and certainly not increases.

With the President at the helm of the ship of State, Washington is continuing to steer toward financial disaster. We must get off this path. The American people know it. I believe they spoke clearly last November. We still have not gotten the message. We still remain in denial.

Some say: Oh, the tea party. You shouldn't pay attention to them. They were angry people. I think they were deeply frustrated people and, yes, somewhat angry. Why should they not be when the people they have elected to Congress, they now discover, are spending billions and billions of dollars day after day, week after week, borrowing 40 cents of every dollar that is spent? How can we defend that? How can we defend to any American citizen our behavior that has allowed such a debt situation to occur? We have had three consecutive trillion-dollar deficits, and this fiscal year we are expecting to have another trillion-dollar deficit. It is an unacceptable course.

I will oppose the legislation and urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, as the ranking member of the Transportation, Housing and Urban Development Appropriations Subcommittee, I rise in support of this conference report, and I encourage our colleagues to join me in voting for this measure.

Let me first thank Chairman PATTY MURRAY and her staff who worked collaboratively with me and with my talented staff throughout this entire process. I also wish to thank Chairman KOHL, Ranking Member BLUNT, Chairman MIKULSKI, Ranking Member HUTCHISON, and of course the leaders of the full Appropriations Committee, Senator INOUE and Senator COCHRAN. All of us have worked closely together to usher this first group of appropriations bills to final passage.

I am particularly pleased that we brought these appropriations bills to the floor through the regular order enabling members to examine, debate, and vote in a fair and transparent process. That is a big change from the approach that has, unfortunately, marred the process in previous years when all the appropriations bills—or nearly all of them—were bundled into one enormous omnibus bill that was considered at the last moment in a rushed manner and without the opportunity for full and fair debate and amendment. We didn't do it that way this time, and I think that represents progress.

I am also pleased this conference report contains provisions that are important to the State of Maine.

The Transportation-HUD bill recognizes the fiscal reality of what is now an unsustainable \$15 trillion debt, while making critical infrastructure and economic development investments that will help to create jobs. In this bill, we are also meeting our responsibility to very vulnerable populations in our country. The bill strikes the right balance between thoughtful investment and fiscal restraint, thereby setting the stage for future economic growth. The proposed non-emergency funding levels for fiscal year 2012 in this bill are nearly \$13 billion below fiscal year 2010, a reduction of nearly one-fifth in 2 years' time. These significant savings represent an unmistakable commitment and movement in the direction of fiscal responsibility.

For those reasons, and for many more, I urge my colleagues to vote in favor of this conference report.

Mr. COBURN. Mr. President, I want to spend a minute because I do not think the American public knows how badly they have been hoodwinked by Congress. The Budget Control Act told the American people that we cut \$1 trillion. That is what the claims were. The fact is, under the Budget Control Act spending, discretionary spending will still rise by \$850 billion over the next 10 years. That is the truth.

We hear in the bills that are coming up the word "emergency." One of the things the American people cannot quite understand is—when they have an emergency what they do is they end up having to make choices. They do not have a bank that will loan them money regardless of whether they are worthy of paying it back, and that is where we are. We are not worthy of paying the money back that we are

borrowing now. That is going to become acutely obvious over the next 18 months in our country as we see our interest rates rise.

We have a bill on the floor that meets the numbers and meets what the Budget Control Act said but totally denies what the American people are expecting. Let me talk about what I mean by that. There are five major problems with this bill.

No. 1, it claims to cut spending when in fact it does not. When you take all spending, it does not cut spending. We are going to hear and we have heard already how it cuts spending but usually with the caveat "not counting emergency spending." So the first thing it does is not to address any of the problems our country has in terms of having to deal with real cuts in spending, not decreases in the rate of growth of spending. We have to have real cuts if we are going to create a future for our kids. If we are going to be able to borrow money in the future at an affordable interest rate, we are going to have to have real cuts. We have to quit playing the game to the American people and start talking to them as adults, not playing the game and actually being dishonest with them about what we are doing.

This bill also continues to demonstrate that we are shirking our duties in terms of doing oversight. We have provided funding for things that obviously need to be corrected but we will not correct them. We do not eliminate the wasteful programs. There is nothing in here, not one duplicative program in any of these three segments of appropriations bills, that is eliminated. Yet we know there is over \$200 billion a year in duplication costs to the Federal Government on programs that do exactly the same thing. Yet we did not do any of it. It is no wonder you can't cut spending if you don't get rid of programs that do the same thing, none of which or 80 percent of which never accomplish their goals or never have been measured as to whether they accomplish their goals. That is the third thing.

The fourth thing this bill does is absolutely ignore FHA's condition. It was announced they are about to run out of money. What do we do? We raise the amount of money that people can borrow from the FHA at the time when FHA is running out of money. The only problem with that is FHA has a very friendly banker which the Congress has no control over because when FHA runs out of money, do you know what they do? They go and get it from the Treasury and we cannot stop it.

What we have done is we have raised the loan limit for FHA homes to \$729,000 in this bill. FHA is going to be out of money this year. They will have no capital to protect the \$1.1 trillion worth of loans they are guaranteeing, and they will go get the money. Where is that money going to come from? That money is going to come from—we are going to borrow it from the Chinese. So we are going to compound the

very problem we have today. It is absolutely ignoring what the real situation is on the ground, ignoring the real complications of not acting, and consequently we actually make it worse for our kids and our country.

Finally, it includes very few of the amendments that were passed by wide margins in the Senate. One of mine is there. I am very thankful for it. I think it is an appropriate amendment. But several others are not, that were good, commonsense amendments. Yet somebody in the Appropriations Committee decided even though they may have voted for it, they pulled it out. It was not the majority on the other side who insisted it come out because I checked.

What we have done is we are up here and we are going to pass this bill. I have no doubt about it. But we are continuing down the road of, No. 1, being dishonest with the American people about what we are doing, how we are doing it; No. 2, we are shirking our responsibility to eliminate the wasteful portions of the Federal Government which at least are \$350 billion a year, when you combine waste, fraud, and duplication. None of that was attacked in this bill, none of it. Then we are lying to them about whether we are actually increasing spending or not increasing spending.

Our time is shortening. If you look at what happened in Europe in the last 2 weeks, to the bond yields for Italy, to the bond yields for Spain, we know what is coming. How bad does it have to get or how close does it have to get to us before we will act in the best interests of the country instead of the best interests of partisanship or the best interests of our careers?

This is not a bad bill. It just doesn't do what the American people need us to do right now, which is start cutting out the waste, fraud, and duplication in the Federal Government so that their children will have an opportunity to live in a country of opportunity.

This bill fails on that count. It should be defeated and a bill coming back here with \$10 or \$12 or \$15 billion less is what ought to come back here. That is what ought to happen, if we were going to be truly honest. Either I am being dishonest about the situation facing our country or you are being dishonest in what you are bringing as the answer on the floor. One of us is not telling the truth and I guarantee the markets are going to prove me right. When we can no longer borrow, as the Chairman of the Federal Reserve said, we are going to eventually fix all this, regardless of the politicians. Do you know why we are going to fix it? Because they are going to quit loaning us money. And we have done nothing with this bill to solve the very real and immediate problems in front of this country.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Missouri.

Mr. BLUNT. Mr. President, we are going to move this bill this evening. I

think we have other people who wish to speak and there is no reason they should not come and speak. I encourage them to come over here and say what needs to be said so we can get our work done. We have a few people who still have opportunities to make a plane. We are not going to be voting tomorrow. We plan to be voting here in the next 30 minutes or so. I hope people come to the floor and speak on the bill. This bill has gone through a process with lots of amendments, lots of debate. It went through a conference committee. It is not perfect by anyone's standard of perfect, but legislation seldom is.

It is under the level that was established in the debt ceiling agreement that also established how we deal with emergency spending. Of course, many of our colleagues did not vote for that. They did not agree with that at the time. It has only been a few weeks ago, but it is the standard that the House and Senate worked on. These numbers should be below that number. They are a little lower than the Senate number which was at that number but higher than the House number. I wish we could have been closer to the House number, but the House has a different majority than the Senate does.

The real point is, if people want to come speak on this bill, the vote is scheduled here in about a half hour or so and I hope people will come on over and have their say on this bill, let the people know in addition to their vote where they stand. We are waiting for a couple of people to come. This would be a good time for them to do that.

I yield, and we will be waiting.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. 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. MURRAY. I rise to speak about the transportation-housing title of the bill before the Senate. It has broad bipartisan support because it addresses the very real housing and transportation needs of American families across the Nation.

This is not a perfect bill, but there is a lot to be proud of in the conference report, and I am pleased with what we have been able to accomplish with my colleague Senator COLLINS, because she has worked so hard in a bipartisan way to get us to this point, and Chairman LATHAM and Congressman OLVER on the House side and all of their staff.

This bill makes needed investments in our transportation infrastructure and creates critical jobs, while also supporting housing and services for our Nation's most vulnerable.

This bill touches the lives of all Americans in ways they can appreciate

every day, whether it is a parent who commutes every day and needs safe roads or new public transportation options so they can spend more time with their family, a business that depends on a solid infrastructure to move goods and attract customers, young families searching for safe and affordable communities to raise their children or a repeatedly laid-off worker who needs help to keep his or her family in their home. This bill has a real impact on Americans who are struggling in these troubling economic times.

Our bill takes a balanced approach that addresses the most critical needs we face in both transportation and housing, while remaining financially responsible and staying within the constraints of the budget.

The bill contains improvement investments for our Nation, including \$500 million for the competitive, multimodal TIGER Program to help improve our Nation's infrastructure, including rail transportation projects; \$1.4 billion for Amtrak, including funding for State-supported services; sufficient funding to preserve housing for our Nation's low-income families, elderly, disabled, and veterans who rely on HUD's housing and rental assistance programs; \$39.8 billion to continue the Federal-Aid Highway Program at current levels; \$45 million for housing counseling; and \$75 million for 11,000 new vouchers for homeless veterans.

The bill also addresses the needs of communities that have been hit by disasters this year, providing \$1.7 billion in emergency relief highway funding and up to \$400 million in CDBG funding for areas that have been most impacted by recent disasters.

It is not a perfect bill, but it is a good bill. It represents a fair, bipartisan compromise that makes investments in our infrastructure and protects the most vulnerable, while living within our funding restraints. Our bill helps commuters, homeowners, and the most vulnerable in our society. Most importantly, it creates jobs and supports the continued recovery of the national economy.

I look forward to having it reach the President's desk soon for his signature, and before I close I again thank my colleague Senator COLLINS and all of her staff for all of their very hard work on this bill. I also thank all of my staff members who worked beyond reasonable hours to get this bill to this point tonight to be able to send it to the President. They are Alex Keenan, Megan McCarthy, Dabney Hegg, Rachel Milberg, Molly O'Rourke, Travis Lumpkin, Evan Schatz, and Lauren Overman. I thank all of them for their hard work and all of Senator COLLINS' staff as well as our chairman, Senator INOUE, and look forward to the passage of this bill this evening.

Thank you, Mr. President.

Ms. COLLINS. Mr. President, I wanted to add to my earlier remarks in support of the FY 2012 conference report which includes language I co-authored

along with Senator LEAHY allowing the heaviest trucks to travel on the interstate highways in Maine and Vermont rather than forcing them onto secondary roads and downtown streets.

Currently, the heaviest trucks in Maine are diverted onto secondary roadways that cut through our downtowns on narrow streets. This creates a major safety concern. It simply makes no sense to force heavier trucks off the highway and onto our smaller roads, jeopardizing the safety of both drivers and pedestrians.

In 2009, I authored a pilot project that allowed trucks weighing up to 100,000 pounds to travel on Maine's Federal interstates for 1 year. According to the Maine Department of Transportation, the number of accidents involving trucks decreased. During the 1-year period covered by the pilot, the number of crashes involving trucks on Maine's local roads was reduced by 72 compared to a 5-year average. This information and other data gathered during the pilot provide proof that this language will increase safety.

In a case study of a freight trip following this route from Hampden to Houlton, when these trucks were allowed to use I-95 rather than Route 2, the driver avoided 300 intersections, 4 hospitals, 30 traffic lights, 9 school crossings, 4 railroad crossings, and 86 crosswalks.

Virtually every safety group in Maine supports this language. These groups include the Maine Association of Police, the Maine State Police, the State Troopers Association, the Maine Department of Public Safety, and the Maine Chiefs of Police. This language is also supported by education and child advocacy groups such as Maine Parent Teachers Association and the Maine School Superintendents Association.

Let me make clear: my amendment does not increase the size or weight of Maine trucks. The only question is on which roads they are allowed to travel.

This has been a long and hard-fought battle. But I am delighted that I was able to convince my colleagues in both the House and Senate to support my provision to allow the heaviest trucks to drive on Federal highways in Maine.

I also want to voice my support for the Agriculture Appropriations title of this legislation. I am particularly appreciative of the efforts of the chairman and ranking member of the Agriculture Subcommittee, Senators KOHL and BLUNT, and their staffs for their diligent work to move this legislation forward.

I also want to thank my colleague, Senator MARK UDALL, for joining me in co-authoring an amendment to ensure that schools continue to have the flexibility they need to serve children nutritious meals at an affordable cost. We worked with Members from both sides of the aisle and from across the country in crafting a bipartisan amendment that achieves this goal.

Our efforts will go a long way in ensuring that schools can serve healthy

meals that meet the nutritional needs of students in a way that fits their budgets. The language overturns arbitrary restrictions proposed by the USDA that would have so restricted the use of potatoes in the school lunch program that a school could not have served a baked potato and an ear of fresh corn in the same week—an absurd result.

We heard from many school advocacy organizations and school and school food service professionals that the rule as proposed was too prescriptive, too limiting, and too expensive. USDA estimates that the opposed rule would have cost as much as \$6.8 billion over 5 years. The lion's share of these costs would have been incurred by the state and local agencies.

We were pleased to have the support of the American Association of School Administrators, National School Boards Association, Council of the Great City Schools, National Association of Elementary School Principals, Maine Parent Teacher Association, Maine School Management Association, Maine Principals Association, Maine Department of Education, and so many more.

Mr. President, for these and many other reasons I am proud to support the FY 2012 conference report.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. REID. Mr. President, we would yield back whatever time is left on the Democratic side.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back on the Democratic side.

Mr. REID. Mr. President, we are going to continue to work tomorrow on the DOD authorization bill. Everyone has been told by the two managers of this bill that if they have amendments, they should offer them.

We are working on the Energy and Water bill. While we are making progress on that with Senators FEINSTEIN and LAMAR ALEXANDER, we have some nominations we are working on.

The next vote will be at 5:30 on November 28.

We will be in session tomorrow.

Mr. BLUNT. Mr. President, I yield back the Republican time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the conference report to accompany H.R. 2112.

Mr. BLUNT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 70, nays 30, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—70

Akaka	Graham	Murkowski
Alexander	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Hoeben	Nelson (FL)
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johanns	Reid
Blunt	Johnson (SD)	Roberts
Boozman	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (MA)	Kohl	Schumer
Brown (OH)	Kyl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Manchin	Warner
Conrad	McCaskill	Webb
Coons	McConnell	Whitehouse
Durbin	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NAYS—30

Ayotte	Enzi	McCain
Barrasso	Grassley	Paul
Burr	Hatch	Portman
Chambliss	Heller	Risch
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter

The PRESIDING OFFICER. On this vote the yeas are 70, the nays are 30. Under the previous order requiring 60 votes for the adoption of this conference report, the conference report is agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion upon the table.

The motion to lay on the table was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012—Continued

Mr. LEVIN. Mr. President, if I could, there are a number of Senators here who want to offer their amendments and make them pending tonight. That is fine with us. Then if they have speeches, I would suggest that they withhold speeches until everybody who has amendments here can offer them and set them aside so that we can allow people to leave and then have the speeches come, if there are speeches tonight, after anybody who wants to make their amendment pending has that opportunity.

That is the process I would suggest, and Senator MCCAIN is supportive of that process. So that is my suggestion: that the Chair recognize people as the Chair wishes, call up your amendment, set it aside, let the next person call up their amendment, set it aside, and if there are any speeches, that they come after everybody who is recognized to call up their amendment has that opportunity.