

I will close by calling on my colleagues: Let's work together to diminish the partisanship and improve the problem-solving. Let's turn down the rhetoric in terms of our back and forth during this campaign year and, certainly, turn it down enough that we can fulfill that core responsibility that provides advice and consent on nominations and certainly on what is probably the most significant and important nomination—that of an individual to the Supreme Court of the United States of America.

To summarize, the Constitution lays out the job before us. The American citizens expect us to do our jobs. Let's do our job.

GENETICALLY MODIFIED FOOD

Mr. President, I am going to shift gears here to discuss a bill that has recently come out of committee and the way that we should consider responding to it. This conversation is all about defending Americans' right to know what is in the food they buy and Americans' right to know what is in the food they feed to their family and they feed to their children. I will also discuss the legislation I am putting forward to attempt to be a bridge between some very different visions on that topic.

Let me start by saying this is all about genetically modified food and the information provided to citizens on the package about that. This often turns into a debate: Well, GMO has done some wonderful things over here. Others say: Well, it has created some problems over here.

I am going to acknowledge that both of those are true. It has done some very positive things, and I will mention some in specific. But it has also created some challenges, some problems, and I will mention some of those. But after we recognize that that is the case, where do we come back to? Here is where we come back to: We should enable the individual in our beautiful Republic to make the decision and not have Big Government make the decision or suppress information. That is what happens in the non-“we the people” world. That is what happens in dictatorships. That is not what should happen here in the United States of America, where individuals have the right to know what is in their food.

Let me go ahead and explain some of the benefits and some of the challenges. Let's start with the example of golden rice. Golden rice was developed by the International Rice Research Institute. It provides greater amounts of vitamin A in the rice to reduce the deficiency that exists in many diets around this planet for that essential vitamin.

That is a pretty positive development. I don't know at this point of any side effects or other things that have been brought to light. Nature is complicated, but for now, let's recognize that providing vitamin A where it is needed is a pretty positive thing.

Let's take a look at carrots. Carrot cells have been transgenically modified

to produce a chemical that treats Gaucher's disease. Gaucher's disease is a metabolic disorder where people lack a specific enzyme which helps rid the body of certain fatty substances. Those fatty substances then accumulate, causing enlarged livers, spleens, bone damage, bruising, and anemia. These transgenic carrots are part of the answer, part of the solution.

Let's turn to sweet potatoes. Researchers are genetically modifying sweet potatoes to withstand multiple viral infections commonly encountered in South Africa, making this a much more successful crop and providing more food to people who need more food. So that is a positive development.

All of this is not a one-sided scientific picture. There are also scientifically documented concerns. We can call them scientifically documented problems that have occurred with transgenic crops.

Let me start by noting that the most common transgenic crops in America are crops that have been modified to be resistant to glyphosate. That is an herbicide. After the introduction of these resistant crops, which means you can put more herbicides or weed killers—you can put a lot more weed killer onto the acreage—you basically knock out the weeds much more easily and less expensively than with other strategies.

What happened? Well, basically, since 1994—early 1990s—several major crops have become almost 100-percent transgenic-glyphosate tolerant. The amount of glyphosate put on the crops has grown from 7.4 million pounds in 1994—let's round it off—to 160 million pounds in 2012, and the number keeps climbing. This is a huge amount of herbicide. Try to picture in your head 160 million pounds of herbicide. Well, it is so effective in killing everything except the GM corn, GM soybeans, and GM sugar beets. It is so effective in killing everything else that very few weeds survive. One of the weeds that doesn't survive, because most don't, is milkweed. Milkweed happens to be the food for the monarch butterfly. As we have seen the enormous increase of glyphosate applied to our fields, we have seen a crashing of the monarch butterfly ecology. It is not the only thing affecting the monarch. Several other things are affecting them as well, but it is—in scientific study after study—a very significant factor.

Let's also take a look at something else; that is, that all of this glyphosate doesn't stay on the fields. When it rains, it gets washed into our waterways. Our waterways are full of things that are affected by our herbicides, and so it has a big impact on the ecology of our streams and rivers. That is a serious scientifically documented issue that we are continuing to learn more about as time passes.

Let's turn to another issue. This is a fascinating story. It is about a pest that bores into the roots of corn. It is called the corn rootworm. The corn was modified so it would have a pes-

ticide in the cells and would kill the rootworm when it bored into the corn, but guess what happened. If you do this on a vast scale, Mother Nature comes along and has a few genetic mutations here and there and suddenly that rootworm starts to propagate with others that are now resistant to this pesticide that has been put into the roots. So now more pesticide has to be added to the corn, and as a result of that we have an opposite outcome than what was expected.

The hope was that this would reduce pesticides, but now you have to put the pesticides back in it, and so now we have the evolution of superbugs. Here we have the adult beetle, and the rootworm is a reference to the larvae stage of this beetle. These are the type of concerns that are raised.

I say all of this just to explain that while there are benefits of transgenic crops, there are also issues that are raised in the natural world. So anyone who takes this floor and says that nobody should be concerned about bio-engineered crops is simply refusing to look at the scientific literature that says, no, there are things we should be concerned about. That is why it comes back to the right of the individual to know what is in their food. They want to know if it is a transgenic crop, and they can look up the details and make their own decision. Why have Big Government say that we are going to make the decision for you? Why have Big Government say that we don't trust you with information and we are not going to allow you to know what is in your food? No. That should be in some dictatorship, not in the United States of America.

Well, we have a big battle now because out of committee last week has come a bill, and this bill is known as the DARK bill. It stands for Deny Americans the Right to Know because Big Ag says that we don't believe in this whole “we the people” model of a republic. No, we like to have a government that makes decisions for people and that denies information to people because we don't trust them, as consumers, to decide what they want to eat. We don't want them to know what they are feeding their children and their family. We want to make the decision for them. Well, 90-plus percent of Americans disagree. They want the information to make the decision on their own. They can find out about the benefits over here. They can find out about the concerns over here. Different foods have different transgenic crops in them. They should get to make the decision and not have Big Government making the decision for them.

This bill, the DARK Act, prohibits counties, cities, and States from any decision to provide information on a package to their citizens about what is in their food regarding transgenic crops.

I got together with the representatives of the food industry and advocates for consumer information. I tried

to find out if there is an overlap so we can craft a bill that will bring these two communities together, and we made some progress on that, and so I will share that with everyone.

Basically, a big concern of the food industry—totally legitimate—is that they don't want 50 different standards in 50 different States or to have a bunch of counties decide to make up their own rules, which would result in hundreds or thousands of rules. If you operate a warehouse, you can't send different cans of soups to grocery stores across the country. No. So that makes sense. They want a 50-State solution. Furthermore, they want to have it acknowledged that there is nothing pejorative about the concept of bioengineering or transgenic. They want to know that people know this is a situation where there are some positive benefits, and I have mentioned some of those positive benefits. They don't want a label on the front of the package because they think it would be scary to consumers, and they want flexibility as to exactly what system they use to alert consumers.

The bill I put forward provides all of those goals for a 50-State solution. There is nothing on the front of the package, nothing pejorative, and provides flexibility for the food industry. It does not go to the final step that much of the food industry wants, which is no unpackaged labeling because then there is no compromise between the two sides.

The consumer side would like to have something mandatory so it is on each package of food. They want it clear so a person can pick up the food or the can or the sack and have it easy to identify on the package. That is the compromise bill I have put forward. It enables the food industry to either put an asterisk on an ingredient that is bioengineered and have it explained below or it enables an industry to put a symbol in parentheses after the ingredient or it enables an industry to just put a symbol on the ingredients panel. In Brazil they use a "t." It is a very simple "t." It is not scary, but for those who want to know, it is identified.

This approach of simplicity—nothing scary, simple access that is easy to see—this is the bulk of what both sides want to accomplish so we can have a 50-State standard.

It has been endorsed by a number of groups. Over the last few days my bill has been endorsed by Campbell's, Stoneyfield, and Nature's Path. It has been endorsed by Amy's Kitchen and Ben & Jerry's and Just Label It.

We can give up the ability of each State to have a separate labeling system if we do this simple symbol or parentheses or asterisk on the ingredients panel so a person who cares can look it up.

I think about it this way. My daughter has always wanted to buy products that don't have highly enriched corn syrup or high fructose corn syrup.

Along the way, she read something and said: I am just not sure that is something I want to buy. So she picks up a package, turns it over, and often the ingredients on the package have tiny print, but she can figure it out. It is the same for this. Enable the consumer who is willing and wants to make the effort to be able to pick up a can—again, it doesn't have to be on the front—and find out what is going on.

This is the world standard. There are 64 other countries, including 28 members of the European Union, Japan, Australia, and Brazil, that all require some type of indication on the ingredients panel or on the package. Do you know who else is in that group? China. China is a dictatorship. China doesn't deny its citizens the right to know. How is it possible that a bill in this Chamber has been introduced to take away the right of Americans to know what is in their food? Even China doesn't do that, and we must not do it either.

I appreciate the folks who have already signed up to sponsor this bill. Senator LEAHY, Senator TESTER, Senator FEINSTEIN, Senator SANDERS, Senator MURPHY, Senator GILLIBRAND, and Senator BLUMENTHAL, thank you. Thank you for standing up for your citizens' right to know. Thank you for standing up for a fair compromise that solves the big problem the food industry is facing with the potential of 50 different States having 50 different standards. Thank you for finding the area of compromise that works on both sides of this equation.

I appreciate the endorsements. I appreciate the sponsors, but what I really appreciate is that we have freedom of speech in our country to be able to carry on this conversation, but how is it consistent to have freedom of speech and then say that we want to ban information from our consumers? How is that consistent? This is like the mob that says that we don't want our citizens to read certain books so we are going to burn them, we are going to ban them—and that is what this DARK Act does. It has been introduced and went through the Agriculture Committee. It bans the ability of States to provide information to their consumers. That is just wrong. Even China doesn't go there, and we should not go there either.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, earlier this afternoon we had a very strong vote here in the U.S. Senate to move forward on the legislation we are currently considering. It is called the Comprehensive Addiction and Recov-

ery Act. It is legislation that is intended to make the Federal Government a better partner with State and local governments, with our nonprofits who are in the trenches around the country, and with all of our States dealing with this now-epidemic level of heroin addiction, prescription drug addiction, and overdoses.

Today, as we are here in the Senate, on average, we will lose over 100 people a day in the United States of America to deaths from overdoses. Frankly, that is just part of the problem, as horrible as that is. So many people are being saved by this miracle drug called naloxone or Narcan. Also, others who may not be overdosing are not working. Their families are broken apart. They are committing crimes to support their addiction. So many Americans are not achieving their God-given purpose because of this addiction issue that is gripping our country. Our legislation is meant to address it in a very direct way.

The debate on the floor that we had over the past week has been very interesting to me. It is the first time in decades that this Congress has taken up this issue in this manner. We have had a very open debate on addiction policy. What does it mean? I think what you heard Members say on both sides of the aisle is that we have learned a lot about addiction over the years and that addiction now is viewed by most as a disease, an illness. Like other illnesses, it needs treatment.

I think that is a very important change in terms of how we address this issue, and the policy before us today on this floor that I hope we will vote on in the next 12 hours or so represents a change in thinking about this, that indeed we want to do everything we can to prevent the addiction in the first place, to keep people out of the funnel of addiction, to have better efforts in education and prevention, and that is in this legislation. But also, once we have people who are addicted, we need to get them into treatment. And for people who are arrested for possession, who are users of drugs, it is better to get them into treatment and recovery than just getting them into jail or prison because we have found that hasn't worked. So the criminal justice system has a role to play here—legalization is not a good idea—but that ought to be, in part, diverting people into treatment that works better for them to be able to get at this problem. Otherwise, folks will continue to see these incredibly high levels of use, addiction, and all the negative consequences that stem from that.

I thank my coauthor of this legislation, Senator SHELDON WHITEHOUSE. He and I have worked together over the past few years on this legislation, bringing in experts from all over the country and getting expertise from our home States. In Ohio, we had a number of roundtable discussions that added a lot of important input to be able to come up with legislation that actually