

term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

“(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.”

NATIONAL SPEECH AND DEBATE EDUCATION DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 398, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 398) designating March 15, 2016, as “National Speech and Debate Education Day”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 398) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, Public Law 107-228, and Public Law 112-75, appoints the following individual to the United States Commission on International Religious Freedom: Ambassador Jackie Wolcott of Virginia.

ORDERS FOR TUESDAY, MARCH 15, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following

leader remarks, the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, at 2:15 p.m., the Senate then resume consideration of the message to accompany S. 764.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MERKLEY.

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

The Senator from Oregon.

GENETICALLY MODIFIED FOOD

Mr. MERKLEY. Mr. President, I rise to address the motion that is on the floor right now, which is a motion to adopt an amendment that is essentially a new version of the Monsanto DARK Act. Now, DARK is an acronym that stands for “Denying Americans the Right to Know.” This is, by the way, an amendment that has not been seen in any committee in the Senate ever.

We heard a lot of discussion about how we were going to have a process in this Chamber where things would be in the ordinary fashion—go through the committee so it could be digested and analyzed—but instead this amendment is to an underlying bill that has been ping-ponging back and forth between the House and Senate. This legislation has never been heard in committee. It was crafted over the last few hours. Here we are with a fundamental issue of citizens’ right to know, and the majority leader of this Chamber has decided to bypass any ordinary consideration to jam this through on behalf of Monsanto.

What is at stake here? What is citizens’ right to know about? It is about genetically modified or genetically engineered ingredients that are in their food. Across the country 90 percent of Americans want to have some indication of what is in their food and whether there are GE ingredients. They feel this is relevant to what they would like to buy. Even if they don’t personally look it up when they buy a product, they feel citizens should have a right to know. I rounded it off and said 90 percent, but it is actually 89 percent. The survey took place last fall. I believe it took place in November of 2015. This fundamental notion about the right to know what is in your food transcends every ideology in our country.

The Presidential primary season is going on right now, and we are seeing

a huge range of ideologies from the left to the right on display, but when we talk to citizens about this right to know, it doesn’t matter if they are Democrats, Independents, Republicans, rightwing Republicans or leftwing Democrats, they all come out essentially the same. Let’s break it down by each party. Democrats are at 9 to 1, or 92 percent; Republicans are at 84 percent, which rounds out to about 8½ Republicans to 1 Republican. It is a huge ratio. Independents are 9 to 1, or 89 percent. When asked if they feel strongly about this, they say, yes, they do feel strongly about this. That just goes to the fundamental notion that here in America citizens believe they have the right to make up their own minds and not have the overreach of the Federal Government telling them what to believe or the government saying: You can’t have the information you want in order to make your decision as a consumer. Citizens resent that. Citizens get angry about that. Yet right now the majority party in this Chamber is trying to push through just such a repression of a citizen’s right to know.

This has been triggered by a law in Vermont. Citizens in Vermont voted and decided they want to know if their food has GE, genetically engineered, ingredients, and that law goes into effect on July 1 of this year. Our big food industry—Monsanto and friends—said: No, we can’t let the citizens of Vermont have the information they want. We must pass a Federal law to stop them. By the way, we need to stop every other State in the United States of America and every other subdivision of any State in the United States of America from providing this information, which 9 out of 10 Americans want to have listed on their food.

We are all acquainted with labels on food. That is not something new. Some citizens look at it to determine how many calories are in the food. Others look at what vitamins may be in the food or if it meets the daily recommended dose of vitamins. Some go to see if it has a form of cornstarch, corn sugar, or high fructose corn syrup that maybe they like or don’t like.

We also have labeling laws about other things consumers care about on their food. If you sell fish in a grocery store in America, you have to tell the consumer whether that fish has been caught in the wild or whether it has been raised on a farm. Why? Because citizens wanted that information. They considered that relevant to their decision about their purchase of foods for themselves and their families.

Let’s consider the fact that here in America if you put juice in a store, you have to say whether it is made from concentrate or whether it is fresh. Why? Because consumers thought that was relevant to how they would like to exercise their judgment. Well, 9 out of 10 Americans say they want the information on whether there are GE ingredients, but now we have this bill on the floor—this Monsanto DARK Act addition 2.0—that says, no, we are going to

take away that power from every State in the country, not just Vermont, not just my home State of Oregon but every State. We are going to take it away from any subdivision of those States. We are going to black out that information so consumers can't have it.

Here is the question we face: Are we going to hold a vote this week in this Chamber, as scheduled by the majority leader for Wednesday, to shut down debate on this topic? The majority leader didn't allow debate today because he just introduced the bill tonight and he just set the schedule for tomorrow. We are not going to have the debate until 2:15 p.m. tomorrow, and he said we are going to vote on Wednesday morning on this critical issue affecting citizens' right to know. So on behalf of Monsanto and friends, he wants to make sure there are only a few hours of debate and that the citizens of our country don't even know this dirty deed is being done in this Chamber. That is why I am speaking right now, because it is important for the citizens to know this is being rammed through right now at a time when it is most likely not going to gain public attention.

Why is that? Why did the majority leader do this on a Monday night right before the five big primaries that occur tomorrow? Because the news media is very busy covering those five big primaries. Who is going to win the Republican primary in Florida that will affect, one way or another, whether a Member in this Chamber stays in the race? Who will win the Republican primary in Ohio? That is possibly going to affect whether the frontrunner gets a majority by the time the convention comes up. Who is going to win the Democratic primary in Illinois? Who is going to win the Democratic primary in Ohio? That will have a big impact on the rhythm of that. So the media is very consumed and very busy, and that is why here, on the eve of this major Tuesday primary, this bill has been put on the floor. Americans have no idea it is happening. They can ram this thing through with no notice to the American people because, again, this bill was never considered in committee. This is a whole new creature—this Monsanto DARK Act 2.0.

What specifically does it do and how has it morphed? Well, this is very interesting. This act says States are banned from providing information that 9 out of 10 of their citizens want. It says subdivisions are banned from providing information that 9 out of 10 of their citizens want, and then it says there will be a voluntary program, and if, after a series of years, citizens can get information based on consumer inquiries, then this ban will continue forever. If they can't get the information on 70 percent of the major foods that are being sold, then all that is required is a response to consumer inquiries. In other words, no labeling requirement, no simple fashion for a consumer to find out what is in their food. If we put

a ban on States from providing easy-to-use consumer information about GM or GE ingredients, then there must be a national consumer easy-to-use indication on the label.

The argument is put forward—and I share it—that 50 different State standards would be confusing and expensive and almost impossible to implement. One warehouse serves multiple States and so on and so forth. Having a different label in every State makes no sense. OK. I take that point. But if we are going to ban the States from providing the information consumers want on the argument that there should be one national standard for simplicity, then there must be a consumer-friendly national standard, and there is no such standard in this Monsanto DARK Act 2.0 placed on the floor tonight.

There is an interesting twist here because they have proposed some ideas that are different from putting consumer-friendly information on the label. The first of those ideas is a 1-800 number. It works like this. Let's say, like my daughter, you are interested in high fructose corn syrup.

I am going to use this book here as a visual aid, and I ask unanimous consent to do so.

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

Mr. MERKLEY. I thank the Chair.

Imagine these are products that are in the grocery store. So I, the consumer, am going down the aisle, and I say: I want to know whether these contain high fructose corn syrup. Well, I turn it over and look at the ingredients, and I see that one does. Looking at this one: No, this one doesn't. Let me check the third. It is right here. I have the answer. I have checked three products in 5 seconds. That is consumer friendly. But let's say we have to call the 1-800 number to find out.

I ask unanimous consent to use my cell phone as a visual aid.

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

Mr. MERKLEY. So now I have to pull my cell phone out of my pocket, and I have to find this number that is probably too small for me to read. I have to turn on my phone and hope there is a cell connection in the store, which there may or may not be. I dial it up. Oh, I am talking to somebody in the Philippines, and they have no idea what I am asking about. Oh, I am talking to some call center somewhere else, and they have all kinds of information, but they are not sure exactly what my question is about GE ingredients. And maybe I have to wait 15 minutes while I am on hold. We have all had that experience. Every one of us has had the experience of not just waiting 15 minutes; we call a consumer help line or maybe a 1-800 number and maybe it is half an hour. They give you a little message: We are sorry, we have a high call volume and we just can't get to you yet, but we will get back to you in maybe 30 or 40 minutes. I am standing here in the aisle. I want to compare

these three products. I have to call three different 800 numbers. I ask, can anyone on this floor stand up and say this is a consumer-friendly way to answer the fundamental question as to whether there is a GE or GM—genetically engineered or genetically modified—ingredient? No. This is absurd. This is a sham. That is why it is sham No. 1.

But there is not just one sham in this bill; there are more. The second sham is a computer code. So picture this: Instead of being able to pick up a product and say "I want to see if this has peanuts in it; I am allergic to peanuts," I can check my second product. Oh, here it is. I check the third product. No, no peanuts. I am allergic to peanuts. In 5 seconds, I have checked three products. That is consumer friendly.

But now this second sham is that I have to have a smartphone with me. I have to take a picture of this code called a quick response code, and that will take me to a Web site, and maybe I will find out the information in the format presented by the company itself, which will probably be completely incomprehensible and indigestible. All I wanted to know was whether there is a GM ingredient. But now I have to take a picture. I have to go to a Web site. I have to negotiate the information on the Web site. All I needed was a little symbol right here. It doesn't matter what the symbol is. It could be "GM." It could be "GE." It could be a "t" for transgenic. That is what Brazil uses. It could be a happy face. Just anything so that consumers knew what that symbol stood for. That would allow them to check it very quickly and very easily.

A QR code is even more diabolical because when you use your phone to take a picture of this and go to that Web site, they track some of your information. You have to give up your privacy. I have to give up my privacy to find out if there is a GE ingredient in the food I am eating? No. No way. No how. Just wrong. An invasion, an overreach of the Federal Government asking me to give up my privacy by having to take a picture of this.

Envision now whether this is really practical in any way. Not only might it take half an hour to go through those three different QR codes and find out what they really mean, but I am shopping for groceries. This is just one item I want to buy. I want to buy a can of soup. That is what I want to do. But I have 20 more things on my list. I go to the second thing. Maybe I want to buy hot dogs, and now there are 10 different versions of hot dogs. What am I going to do—take a picture of all 10 hot dogs for my second item on the list?

Now I am 2 hours into my shopping trip. I have a child in the grocery cart who is hungry and who is tired and who wants to go home. I want to go home. I want to get home and cook dinner for myself and my family. I have to spend 2 hours to check out two products on my grocery shopping list. This is a complete sham.

There is even more to come. This is sham No. 3 that is in the Monsanto Protection Act, Monsanto DARK Act—Denying Americans the Right to Know—2.0. Here is a wonderful idea. This says a company can provide information via social media, as in Facebook or Twitter or who knows what—Instagram. So here I am now. Picture this. This really takes the cake. I am in the store. I care about GE ingredients, and I check product No. 1 for their 800 number, but they don't have an 800 number, or they have it but it is not for this purpose because this company has done their voluntary disclosure not through the 800 number. So I think, well, am I supposed to take a picture of the smart code? I look for it. Maybe I find one. I take a picture, I go to the Web site, but no information is there because this company has decided to do voluntary disclosure through social media. Well, which social media? I am supposed to know if they are putting it up on Facebook or if they are supposed to be putting it on Instagram or on Twitter? No, because they can put it anywhere they want.

So here we have a completely unworkable system in every possible way. In other words, all three of these ideas were put into this bill solely for the pretense that there is some form of disclosure to consumers.

Now, why would the author of this bill that was put on the floor tonight go to this tremendous effort to have this pretense about disclosure? Well, let's go back to where I started. The reason for the pretense is that 9 out of 10 Americans want to know. So this is a scam on the American people.

Right now, citizens in our country are very angry. They are very upset. We have gone through four decades in which the middle class has been squeezed, and they know they are getting the short end of the stick. They know that our national wealth has grown enormously but nothing is shared with the middle class. They know the system is rigged. And here comes our majority leader to put a bill on the floor that further rigs the system with this Monsanto DARK Act edition 2.0.

So citizens across the country, this is being done to take away your rights when you are not paying attention because we are in the middle of a major primary tomorrow. So if you are aware of this Monsanto DARK Act 2.0 being on the floor right now and that there is going to be a vote on it on Wednesday morning, then weigh in and say it is not all right. Share with other Americans on your social media and say that this sham disclosure bill is not OK, that taking away the desire and right of 9 out of 10 Americans to want to know if there is GE ingredients in their food—taking away that right is a complete travesty.

This is the type of overreach that makes citizens mad. This is the type of jam-through legislation on behalf of a powerful special interest to take away

what citizens care about that makes people mad. My colleagues across the aisle know that, so they want to jam this through in the dark of night when the country is not paying attention. That is simply not OK. It is not OK.

Some may say: What is the big deal here? Aren't genetically engineered products all wonderful, and why would any citizen actually be concerned about them? Why do these 9 out of 10 citizens have this desire? They are just misled. There is no concern about GE ingredients. We are just taking away their right because they don't know what they are talking about. Their concerns are not legitimate.

Well, I will tell my colleagues tonight that their concerns are legitimate. Genetic engineering can produce a benefit and it can produce problems, and therefore it is the citizens' right to be able to make the evaluation of how they want to spend their dollar, just as it is their right if they want to buy re-constituted juice versus fresh juice, just as it is their right if they want to buy wild fish rather than farmed fish, just as it is their right if they don't want to buy food with high fructose corn syrup, or maybe they do want to buy it, but they get to choose. They get to look at the ingredients and the labeling and they get to choose.

Let me expand a little bit on this because science has provided us with both an accounting of some of the benefits and an accounting of some of the problems. Science indicates that there is some truth in both. For example, let's take one of the benefits. This is a picture of golden rice. Well, what is golden rice? In parts of the world, citizens suffer from a big deficiency of vitamin A. Therefore, this rice has been genetically engineered to have vitamin A in it, and it can, in parts of the world where rice is routinely eaten, help address that. Folks have said that is a good thing. Now, I don't know all the reverberations of cultivating this type of rice versus another type of rice. There might be a problem hidden away in those different cultivation techniques. But by and large, I have heard positive things about golden rice helping address a vitamin deficiency.

Let's take transgenic carrots. Their cells have been cultivated in order to provide a substance that provides a cure to Gaucher's disease. So that seems like a benefit because people who suffer from Gaucher's disease are awfully happy about having a remedy.

Let's take yams grown in South Africa. Well, they have several different viruses that affect these yams, and so by genetically engineering to resist these viruses, as far as I am aware, we don't know yet of any side effects that are a problem. As of now, this can be something that is generally registered as a benefit, to have that resistance to these viruses. There is even discussion of genetic modifications that can be done that serve in lieu of immunizations. That is a very interesting scientific idea. That could be a way to

provide resistance to humans with certain diseases.

That is only part of the story. Just as science has documented that there are benefits, there are also some concerns. Here in the United States, the major genetic modification is something called Roundup Ready. It makes a particular plant immune to the effects of an herbicide. Herbicides kill the plants, so this makes the plant immune to the substance that kills plants. Therefore, you can use this herbicide to control weeds without killing the corn or without killing sugar beets or without killing the cotton, and so forth.

(Mr. DAINES assumed the Chair.)

So what have we seen? Since this genetically engineered quality was developed, we have seen a massive increase in the use of herbicides on crops. It has gone from 7.4 million pounds back in 1994 to now over 160 million pounds. We see this massive increase and its continued path to 2012. One of the effects is that if you have this massive 160 million pounds of herbicide on fields that weren't there 20 years earlier, what you have is a lot of runoff of herbicide into our streams and into our rivers. When you put plant-killing stuff in our streams and rivers, it has an impact on the ecosystem. That is a scientifically documented legitimate concern.

There is another concern. When we tilled fields to take down the weeds, it was mechanical, and in that disturbed soil grew a variety of things and the edges of fields grew a variety of things. One example is milkweed. It has been scientifically documented that there is a big reduction in these miscellaneous weeds and some of the related insects and species that otherwise would have inhabited that area near these fields. One example is the monarch butterfly. The monarch butterfly has crashed in the Midwest because of the dramatic reduction in milkweed with a change from mechanical tilling to herbicide control of weeds. That is just the canary in the coal mine—or the monarch in the coal mine. We don't know what else is being affected by this massive application of herbicides.

Here is another challenge. This is an interesting genetic modification. This is called Bt corn. Bt corn has been genetically modified so it produces a pesticide inside each corn cell, and particularly the goal is that when the larvae of these beetles start eating, the pesticide would kill the larvae of these beetles. These larvae are referred to as the "western corn worm."

The western corn worm does a lot of damage, and you put the pesticide inside the cells. Both the larvae and the beetles themselves like to eat the corn. They like to eat the strands of pollen that pollinate the corn. What can end up is corn that has only a few kernels on them. There is a greatly reduced amount of kernels as a result of the pollen being compromised. What is happening as a result of the prevalence of this Bt corn which is grown all over the United States? What is happening

is that these larvae of the corn worms and beetles are developing a resistance to it because Mother Nature has a few surprises. At any one moment in a large population, there are thousands or millions of accidental mutations occurring. Out of those mutations, when millions and millions of these beetles and their larvae are exposed, eventually a few of them have a mutation that makes them immune to the pesticide. Then they proceed to have offspring, and then the offspring have more mutations and become more resistant. Suddenly, you now have to go back and put pesticides in these fields, even though there is a pesticide produced in each cell of the corn itself. That type of biofeedback is scientifically documented. That is a concern.

There is an impact on creating what is sometimes called superweeds through herbicides and superbugs that are pesticide-resistant through the massive application of Bt GE engineering.

This chart is just a reference to the problem in the waterways that I have already spoken to, so I don't think I need to repeat that.

If there are advantages or benefits and there are scientifically documented problems, shouldn't it be up to the consumer to decide if they want to buy a product with genetically engineered ingredients? They are not stupid. They are not crazy. They have not invented some concerns. There are legitimate, scientifically documented benefits and legitimate scientifically documented concerns. So it should be up to the consumer.

We tell consumers: Hey, you have thoughts about whether you would rather have wild fish or farm-raised fish, for example. Why do we require that? I will give you an example from the Pacific Northwest. In the Pacific Northwest a lot of salmon are raised in ocean pens. Those are farmed fish. They are very close together, and because they are very close together, they develop more diseases. There is a type of sea lice that becomes prevalent. Also, because they are not eating the same stuff wild fish eat, their meat is white, so they have to be fed a dye to make their meat the same color as wild salmon. There are folks who hear that and say: I have a preference. I would rather have farmed fish because they are cheaper, or I would rather have wild fish because I don't like the way farmed fish is raised. Maybe one likes the idea of supporting the wild fishing industry rather than the farm fishing industry. That is why we require the disclosure. So it should be a citizen's right to know.

Right now here is where we are with this issue being jammed through in the middle of the night on behalf of a very powerful special interest, even though 9 out of 10 Americans don't agree.

Well, let's ask the Presidential candidates where they stand—each and every candidate, Hillary Clinton and BERNIE SANDERS from the Democratic

side, Mr. Trump, Mr. RUBIO, Mr. CRUZ, and Mr. Kasich on the Republican side: Where do you stand on this issue that is going to be voted on Wednesday morning in this Chamber? Do you stand with the 9 out of 10 Americans who want the right to know whether there are GE ingredients in their food? Do you stand with the people, or do you stand with the powerful special interests that want American citizens to be kept in the dark? This is very relevant. Folks voting tomorrow in five primaries, in Florida, Illinois—whatever the other three are tomorrow—they want to know where the Presidential candidates stand. Are they going to be the type of leader who stands with the people, or are they going to be the type that wants to approve and say it is OK to slam this Deny Americans the Right to Know Act 2.0—this Monsanto act. It is all right to slam it through with no committee consideration in the dark of night when the country is not paying attention because of the big set of primaries tomorrow. I want to know where they stand.

So I say to these candidates on the Republican side and the Democratic side: Call us up. Tell us where you stand. Call my office: 202-224-3753. I will let the rest of the Senate know where you stand. We will make sure everyone knows whether you, the Presidential candidates, stand with the citizens of America and the right to know or whether you stand with the powerful special interests that want to strip States' rights to inform their citizens about information that they want.

I want to know from the Presidential candidates: Do you believe that the Federal Government should strip States of the ability to label, even if their labels are all consistent with each other? Do you think that is OK? Do you care about States' rights? Do you see States as a laboratory where we can experiment with ideas and see if they work or not?

Right now Vermont is a laboratory. On July 1 they are going to have their first labeling law in the country, and that is an experiment that their citizens wanted, consistent with 9 out of 10 Americans who want to know. They responded; Vermont responded. They are the first State in the Union to do so. Are we going to cut that short? We are going to trash that ability of Vermont to conduct this experiment? We are going to stomp on the citizens' rights to know, not just in Vermont but in Oregon, Montana, Florida, and all 50 States, and throw in a few U.S. territories as well?

Now the argument is made that this is very dangerous because there could be multiple States that produce different standards. But that doesn't exist. There will not be multiple States in July. There is only one State that has a bill. So it is a phony argument to say that this is somehow causing big, expensive problems because there are conflicting State standards, because

there are no conflicting State standards. It is just one great State that responded to its citizens' desires. Who are we to stop that experiment now? We should endorse that experiment. We should endorse that State laboratory. We should watch to see how well it works. We know citizens want this and that they care a lot. So why take it away just because Monsanto and friends don't want Americans to know?

How many Members here want to go home to their citizens and say: You know what, I represent all of us here in our State of Iowa or our State of Florida or our State of Montana or our State of Oregon—my home State—and it is OK with me if the Federal Government takes away your rights on something you really care about. That is what this Chamber is poised to do. That is why they are doing it in the dark of night, because the Senators who are here who are prepared to vote for the Monsanto DARK Act 2.0 don't want their citizens to know about it. That is why they have encouraged the strategy of putting it on the Senate floor on Monday night right before the big Tuesday primary, because citizens care a lot about knowing what they put in their mouth, and they care a lot about what they feed to their children. It is not simply whether it will make them sick. They care about the implications about the way different food is raised.

When we talk about the difference between farmed fish and wild fish, it doesn't have anything to do with what is going to poison you. It isn't even necessarily the taste. The taste may be similar. It is about the citizens' concerns about the way the harvesting is done, about the way the crop is grown, the produce is grown. When we talk about the difference between constituted juice and we require disclosure, the difference between fresh juice and concentrated juice, it isn't because it is going to poison us when we put in our bodies, it is because citizens care about the process that got them to the product they are about to buy. They care about this, too.

They care about it—Democrats, 92 percent; Republicans, 84 percent; Independents, 89 percent. In this deeply divided country, when 9 out of 10 folks—Independents, Democrats, or Republicans—all say it is important, shouldn't we honor that? Shouldn't we not trounce on their rights? Shouldn't we not suppress the first State pilot project on something that 9 out of 10 citizens across the spectrum agree on? Yet that is the dirty deed this Chamber is planning for Wednesday morning. It is just wrong.

I am deeply disturbed about what has become of our "we the people" Nation. What are those beautiful first three words of our Constitution? If you ask that in any townhall in America, the crowd at the townhall will respond: "We the People." Those words are carved in our hearts because the core principle on which this Nation was

founded is that we would establish a republic where the decisions would be of, by, and for the people. But this vote on Wednesday morning is not of, by, and for the people; it is of, by, and for Monsanto and friends because they want to take away what we the people care about—the right to know whether there are GE ingredients in their food.

Each of us came to Congress and we pledged to uphold our responsibilities under the Constitution. I would have to assume that each and every one of the 100 Senators on this floor had actually read the Constitution. I certainly hope every Senator on this floor knows it starts out “We the People,” and I hope they understand why.

After President Jefferson was out of office, he talked about the mother principle of our Republic, and that is that the decisions will serve the people. He talked about how for that to happen for each citizen, there has to be an equal voice.

You can imagine the vision of the town square and that there is no charge for standing in the town square and expressing your opinion. It is free. But every citizen gets to stand and have their say with an equal voice before a vote is taken. That is the equal voice President Jefferson talked about. That is the equal voice concept President Lincoln talked about, that understanding that each citizen would have a proportionate equal voice. That was embedded in our Founders’ minds. They hadn’t yet envisioned a world in which the town square is now for sale. The town square is now for sale. The town square is television, radio. You have to buy ads on it, and it is expensive. So you have to pay to stand and make your point. And those with the most money get to stand up for a longer period of time than those with little money. Those with the most money get to purchase the equivalent of a stadium sound system to drown out the voice of ordinary people.

Here is what I want to know: On Wednesday morning, is this Chamber going to respond to those with those stadium sound systems and proceed to drown out the voice of the people?

Let’s put up that 89 percent chart.

This is the choice of the people—Democrats, Republicans, Independents who care about this. Wednesday morning, are we going to drown out their desires on behalf of the powerful special interests? Are we going to stamp out States’ rights on behalf of a powerful special interest?

Let’s not do that. Let’s not go in that shameful direction, that direction which is completely contrary to the principles that founded this Nation of an equal voice, a nation, as Lincoln said, that operates of, by, and for the people.

If we want to have this debate over conflicting State labels, then fine. Let’s create a common standard. Let’s create one common standard for the entire country, a little symbol on the ingredients. That is all it would take.

It could be any symbol, and the FDA could choose it so there is nothing pejorative about it. It is not taking up space on the package. It is not taking up space on the cover. It is not pejorative. It is not demeaning. It doesn’t imply there is anything wrong. It just says this is something citizens want to know, just as they want to know farm versus wild for fish; just as they want to know concentrate versus nonconcentrate for juice; just as they want to know what minerals, vitamins, and ingredients are in the food they are buying. This they want to know. So honor that. Let’s not tear down that vision laid out in the first three words of our Constitution and replace “We the People” with “We the Titans.”

If you want to be a Senator in a republic that starts out with a Constitution that says “We the Titans,” then please go be a Senator in a different nation. Go to work somewhere else but not here in the United States of America where we have a responsibility to the citizens and the citizens are clear on where they stand.

So if we must vote on Wednesday—and there is no need to. We are only voting on Wednesday because within seconds of this bill being introduced tonight, the majority leader also put forward a petition that forces a vote on closing debate on Wednesday morning. No. So before anyone has had a word to say, a petition has already been filed to close debate. What kind of a democratic process is that? So the only time to speak to this is tomorrow when the whole world is paying attention to the primaries in five different States—and tonight. That is why I am speaking tonight.

So I am hoping a few people are tuned in enough to activate their networks and to say: This is wrong, Mr. Majority Leader. Pull that bill from this floor. That is a terrible assault on deliberative democracy. Send it to a committee and actually have a debate on it so people can analyze it. Give people in that committee the opportunity to do amendments. Give citizens across the Nation the chance to find out this is going on. Honor the people of this Nation and their right to know.

Thank you, Mr. President.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:52 p.m., adjourned until Tuesday, March 15, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. MARK H. BERRY
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. GREGORY S. CHAMPAGNE
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MARSHALL B. WEBB
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ROBERT N. POLUMBO
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DANIEL J. SWAIN
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. JAMES J. KEEFE
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. ANDREA D. TULLOS
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. BRADLEY C. SALTZMAN
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ANDREW E. SALAS
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CRAIG D. WILLS
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TAMHRA L. HUTCHINS-FRYE
IN THE ARMY
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. CURTIS M. SCAPARROTTI
THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. LINDA L. SINGH
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. AUSTIN S. MILLER
THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. WILLIAM J. PRENDERGAST IV
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. WILLIAM P. BARRIAGE
BRIG. GEN. PETER A. BOSSE