

on appropriations and be prepared to act on fast track, if and when the House does act. We will keep the Members informed. We will try to be conscious of schedules, but I think you should be prepared to have at least one more vote this afternoon, and there is a possibility that there would be a vote or two tomorrow afternoon and Sunday afternoon.

Again, on Sunday we would not be in until probably 1 o'clock to give Members an opportunity to go to church. One of the reasons why we won't have votes after 5 o'clock tonight is because of the Jewish sabbath. We are trying to honor Members' commitments in that regard while still trying to move this process forward.

There is a 50-50 chance, still, that we can finish all this by Sunday. There is one thing for sure: If we don't stay here and keep working, there is a 100-percent chance we will be here next Friday. Let's keep trying to get it to a conclusion. I believe it is possible.

I thank Senator DASCHLE for collaborating with me on these issues. I wonder if the minority leader might want to add anything?

Mr. DASCHLE. I think the majority leader has laid it out pretty well. We have had a lot of questions about what the schedule is for the weekend. As the majority leader has indicated, we can expect to be here tomorrow and most likely on Sunday. I think if we can work as we have in the last few hours on appropriations bills and other related legislation, there is at least that 50-50 chance we can complete our work this weekend.

One of the concerns that I have been hearing is that at some of the meetings we are not getting the kind of attendance that is necessary in order to complete the negotiations. I urge all Senators, as these meetings are scheduled—sometimes they are with very short notice—that people drop what they are doing and come to the meetings so we can expedite these negotiations.

I appreciate everyone's participation and cooperation and, again, we will work with the majority leader to see if we can accommodate what he has laid out for the agenda for this weekend.

Mr. LOTT. I yield the floor.

Mr. LEAHY. Mr. President, I ask unanimous consent to be able to yield to the senior Senator from Alaska without losing my right to the floor.

PRIVILEGE OF THE FLOOR

Mr. STEVENS. Mr. President, I ask unanimous consent that Katie Howard be permitted privileges of the floor.

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

DAIRY DECISION OF MINNESOTA FEDERAL COURT

Mr. LEAHY. Mr. President, a court decision was issued recently which could throw the entire system of sup-

plying milk to consumers into chaos and could lead to dramatically higher milk prices for consumers.

This decision was a runaway ruling that jeopardizes the survival of thousands of dairy farmers outside the Midwest.

The current milk marketing order system assures local milk production and reliable supplies of fresh and wholesome local milk."

The system is designed, according to the Congressional Research Service, to avoid "shortages of milk," and "to assure consumers of adequate and dependable supplies of pure and wholesome fluid milk."

In this respect, America is the envy of many nations in the world which have unreliable milk supplies shipped in from distant locations at high prices because there is no local competition.

Price differentials, which were struck down in this decision, help keep local producers in business, help cover the costs of transporting fluid milk, and avoid shortages of milk in supermarkets, according to CRS.

Common sense tells us that the cost of producing and transporting milk varies from region to region. A flat pricing system is flat-out wrong.

I joined with 47 of my colleagues recently in sending a letter to the Secretary of Agriculture urging him to keep the current system which assures local supplies of fresh milk to millions of American families.

The key to this system that has worked so well for decades is under attack—once again—in Minnesota.

It is no secret that Northern Midwestern States want to provide milk to the Nation. New technology is available where they can "drain" the water out of their milk, ship the resulting concentrate, and then reconstitute the milk at distant locations.

Over time, this new concentration of the dairy industry in Northern Midwestern States could put thousands of dairy farmers out of business around the Nation. I am very afraid that, ultimately, prices to consumers will rise as the supply of milk becomes more and more concentrated in one area of the country.

My major fear is that when Midwestern winter storms blanket roads with snow, or when freezing conditions in the North stop traffic on the interstates, or when there is a trucker's strike, that consumers in the rest of the country are going to feel lucky if they can buy milk for just \$5 a gallon. Parents who need milk for children might want to pay a lot more than \$5 a gallon, if they could buy milk at any price.

I do not think consumers are going to like this system of being dependent on reconstituted milk being shipped in from 1,000 miles away at who knows what price.

Our current system of encouraging local production of milk works very well for consumers. USDA has been right to promote the local production

of fresh milk instead of this system of concentrating the industry in one region and then shipping products to be reconstituted into milk later.

The Court's ruling—unless stayed—will be effective almost immediately. The order will not have a great deal of effect in states fortunate enough to be in Northeast Dairy Compact, or in states that have their own milk order system such as California.

In those states, local dairy farmers should be able to stay in business and provide towns and cities with local, fresh supplies of milk.

When disasters, or winter storms hit, consumers in these areas will be able to buy milk.

USDA must appeal the decision immediately—no ifs, ands, or buts. The existence of thousands of dairy farmers is at stake.

It is unclear to me precisely which order regions will be affected by the Court order. The Order terminates Class I differentials in "all surplus and balanced marketing orders and all deficit orders that do not rely on direct shipments of alternative milk supplies from the Upper Midwest or from other deficit orders which in turn rely on the Upper Midwest for replacement supplies."

A balanced market is one with sufficient milk to meet demand plus a 40% reserve. A surplus market produces milk in excess of the demand and reserve percentage.

Thus, a few Southeastern states may be exempt from the Order.

For states like New York, Pennsylvania, New Jersey, and some Southeastern states, and southern Midwestern states, impact of the Order should come swiftly as banks decline to make loans to dairy farmers.

The expectation is that producer income will drop significantly and that farmers would go out of business as lenders refuse to provide credit.

Prices in the Northern Midwest could strengthen 20 to 30 cents per hundred-weight (one-hundred pounds) sold—but it is too early to really know how much their prices would go up.

This action was originally filed some years ago by Eric Olsen, Patricia Jensen, James Massey and Lynn Hayes representing the Farmers Legal Aid Action Group. It was filed before the Honorable Judge David S. Doty of the Fourth Division for the District of Minnesota.

Mr. President, I know that my distinguished colleague from Vermont, Mr. JEFFORDS, will also be addressing the Senate on the same issue. Again, it is about a court decision that was issued recently which could throw the entire system of supplying milk to consumers into chaos and could also lead to dramatically higher milk prices for consumers.

The decision was a runaway ruling that jeopardizes the survival of thousands of dairy farmers everywhere except the Midwest.

Now, the current milk marketing order system, which is a very complex