The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to exceed 1 hour. There will now be 30 minutes under the control of the Democratic leader.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

A STEALTH DISASTER IN NORTH DAKOTA

Mr. CONRAD. Mr. President, I have just returned after spending a week in my home State of North Dakota. On six previous occasions, I have come to the floor to describe to my colleagues what is happening there. I have described it as a stealth disaster. Last year, we faced a remarkable set of disasters, with the worst winter in our history, followed by the most powerful winter storm in 50 years, followed then by the 500-year flood, and, in the midst of all that, an outbreak of fire that destroyed much of downtown Grand Forks.

Those disasters received enormous attention. Daily, the national news media covered what was happening, so people all across America saw what was happening in North Dakota, and the people of the United States moved to respond. They responded with extraordinary generosity. We deeply appreciate what the people of this country did for North Dakota last year.

Mr. President, the disaster continues this year. Only this year, it is attended by almost no national news coverage and there is very little understanding of the depths of the crisis. This is a disaster nonetheless. This disaster is not as visible because it is a disaster occurring on the 30,000 farms of the State of North Dakota. From 1996 to 1997, according to the Government's own figures, farm income in North Dakota dropped 98 percent. That is not a misstatement, that is what the Government's own figures reveal, that farm income from 1996 to 1997 dropped 98 percent in the State of North Dakota. We led the Nation in farm income decline. And, by whatever measure one takes, this is a disaster.

It is a disaster caused by bad prices, bad weather, and bad policy. We have the lowest prices on record when adjusted for inflation. We have a continuation of the weather cycle that led to the incredible storms and flooding of last year. Now we are caught up in a wet weather cycle that has led to an outbreak of disastrous disease—scab infects the crops of North Dakota. Last year, it cost about a third of the crop. But not only did it damage the crop, it also reduced the grade of the grain that we produce, so that farmers got a lower price. That, in the midst of the weakest prices, adjusted for inflation, that we have seen in the grain markets for 30 years.

The result is, farmers cannot cash-flow. The result is, farmers are being forced off the land. The result is, we have massive auction sales all across the State of North Dakota. The result is, farmers coming to me and bankers coming to me and Main Street business people coming to me saying, ''Senator, there is something radically wrong, and something has to be done or we are going to lose a vast number of our farmers.'' Mr. President, we now start to see that prophecy unfold.

I brought with me upcoming auctions that appeared in the local newspaper. These auctions tell a story. These auctions are of farm after farm after farm being put up for sale because the farmers cannot cash-flow.

This starts on Monday, March 9, at 11 a.m. and runs right through March. Every day there is sale after sale after sale of farms in North Dakota. I just had farmers tell me that for the first time in 100 years, there is land that will not be farmed.

Some say, ''Well, North Dakota is a marginal State. North Dakota has marginal weather to begin with.'' That is true in part of North Dakota, but this is happening in the richest part of North Dakota. This is happening in the Red River Valley of North Dakota. This is the richest farmland in the world. I grew up being told there had never been a crop failure in the Red River Valley. Never in history had there been a crop failure. For the last 5 years, farmers have not had a normal crop in the Red River Valley of North Dakota.

I just went through the southeastern corner of our State. What I saw in six counties was extraordinary. They are under water. They have 2 and 3 feet of water in the fields. They have had more rain in the first 6 months than they normally get in a year and a half. There is not going to be a normal crop in those six counties, and that is the southeastern part of the State. It has been the northeastern part that has been so hard hit in the last year.

This weather pattern seems to be expanding, taking in more and more land, more and more farms inundated, more and more farmers who aren't going to have a crop or going to have a badly diminished crop and, on top of that, are going to have very weak prices. The result will be even more auctions.

Already we anticipate losing one in every 10 of our farmers this year. Experts that we met with when the Secretary of Agriculture came to North Dakota 3 weeks ago told us next year we might anticipate losing one of every three farmers. This is a disaster of enormous scope, Mr. President, and I hope I can convince my colleagues that it is critically important that we respond.

This chart shows 141 farm auctions scheduled between the beginning of March and the end of June. That is nearly two auctions every day for 4 months.

Who are these farmers who are advertising auctions? I am very sorry to report to my colleagues that these are not farmers of retirement age. Many of these farmers are young farmers who simply can't take the debt load; they simply can't take being in a circumstance of bad weather, bad prices and bad policy. The result is they are leaving farming.

One has to ask, Who is going to farm this land in the future? Who is going to provide the food stocks for the American people, because if there is ever a breadbasket State, it is North Dakota. We are No. 1 in the production of crop after crop after crop. We are No. 1 in durum that goes to produce pasta. Over 65 percent of the durum wheat produced in the United States is produced in North Dakota; No. 1 in barley; No. 1 in sunflower; No. 1 in canola; No. 1 in many of the other wheat categories. North Dakota literally is a breadbasket State, and North Dakota is in disaster. There is no other way to describe it. The result is going to be a calamity unless there is a response.

We see these auctions. This is a typical one: April 14, 1998. This fellow is going to have an auction. It says:

> Darryl has rented out the farm and, therefore, will liquidate the following large line of top quality equipment by public auction.

If you look at what is being auctioned, it is very revealing: A 1995 row crop drill; 1996 row lifter; 1996 cultivator; 1997 field sprayer.

What does that tell us? Farmers thinking they are going out of business are not buying new equipment in 1997. They are not buying new equipment in 1996. They are not buying new equipment in 1998. They have been hit by a calamity, a calamity that is forcing them off the land and out of business. No one who is planning to quit in 1998 buys a sprayer in 1997.

Another auction advertisement states that two farmers have discontinued their farming operations. Again, we see new equipment being sold. Again, we find that this is, as described in the ad, single-owner equipment, and yet they have equipment purchased as recently as 1997.

These are not small investments. Many of these pieces of equipment cost $50,000, $60,000, $70,000, and they just bought them last year and they are going out of business this year. Not one, not two, but hundreds and hundreds and thousands, and it is because there is a collapse of farm income. There is a collapse of production, and we don't have a safety net in place.

It is very interesting if you compare what we are doing in this country to what our chief competitors are doing.

Our chief competitors are the Europeans. They are spending $50 billion a year supporting their farmers—$50 billion, 10 times as much as what we are spending. We spend $5 billion a year. As I have said to my colleagues many times, the Europeans have a plan, and they have a strategy. Their plan and their strategy is to dominate world agricultural markets. Why? Because the Europeans have been hungry twice, and they never intend to be hungry again. They understand full well the importance of agricultural dominance, and they are ready to do what it takes. They are doing it the old-fashioned way: They are buying the markets.

We are sending our farmers out saying, ''You go compete against the French farmer and the German farmer.'' Fair enough. We are ready to compete against any farmer anywhere, anytime. But in addition, we are saying to our farmers, ''While you are at it, you go compete against the French Government and the German Government and good luck,'' because those countries have decided they are going to stand with their producers, and they are going to fight, and they are going to win. If you look at what is happening in world agriculture, you can see that strategy and that plan is working, because the Europeans are on the ascent while the United States is descending. They are going in the right direction; we are going in the wrong direction, and we wonder why.

Mr. HOLLINGS. Mr. President, will the distinguished Senator yield? I don't want to lose my time. We were allocated a few minutes before we vote on cloture. The Senator is into, I think, my segment of the 9:15-to-9:30 time. I don't want to disturb the distinguished Senator, but I don't want to lose my time. Is that the regular order?

The PRESIDING OFFICER. The regular order was for the Democratic leader to control half of the 1-hour time; that is 30 minutes. The Senator from North Dakota is recognized.

Mr. TORRICELLI. Mr. President, did the Democratic leader distinguish how that time would be divided?

The PRESIDING OFFICER. No, he did not.

Mr. CONRAD. Mr. President, I would be glad to enter an agreement right here with my colleague so that the Senator from South Carolina would have time before the cloture vote and so my colleague from New Jersey would have time. I would be happy to wrap up very quickly so they can have sufficient time before the cloture vote.

Mr. HOLLINGS. Sufficient time is 15 minutes. I am almost down to 10 minutes. I ask unanimous consent that I be permitted to speak for 15 minutes prior to the cloture vote.

The PRESIDING OFFICER. Is there objection?

Mr. THURMOND. Mr. President, I object.

The PRESIDING OFFICER. There is objection.

Mr. HOLLINGS. Well——

Mr. CONRAD. Mr. President, let me reclaim my time, and let me just end so the Senator from South Carolina has as much time as he can remaining. My understanding was that I had 15 minutes this morning.

But I would be glad to wrap up and simply say that what I have described this morning is an ongoing crisis in my State. And I am going to be asking my colleagues to respond, as they so graciously responded last year. Let me say, it is just not my State, because what is happening in my State is an early warning signal to others as to what can happen. We are headed for a calamity in my State. Others will experience the same thing unless we find a way to fix it.

I thank the Chair and yield the floor so that my colleagues can have the remaining time.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. How much time is remaining?

The PRESIDING OFFICER. There are 13 minutes 11 seconds remaining.

Mr. TORRICELLI. Thirteen minutes. I offer to the Senator from South Carolina to divide the time. I don't see any other choice. I would be glad at this point to divide the time with the Senator from South Carolina.

Mr. HOLLINGS. I appreciate the distinguished Senator from New Jersey permitting me that opportunity.

What really happened is I was told from 9:15 to 9:30. And I will try to wrap it up as quickly as I possibly can.

The PRESIDING OFFICER. The Senator from South Carolina.

PRODUCT LIABILITY REFORM ACT

Mr. HOLLINGS. Mr. President, what really occurs is we are back now—the leadership says after 10 years—really after 20 years. And much has occurred during that 20-year period. Practically all of the States have faced up—the State of Oklahoma, the State of South Carolina have all enacted product liability reform. It is not a particular problem. The small businesses, for example, are enjoying the best of investment, the best of new initiatives in small business.

The small business folks, the National Federation of Independent Businesses, are really quoted as saying here that—and I quote an economist for the NFIB—''Far from worrying that the expansion has just about played itself out, more and more small-business owners feel that the best is yet to come.'' So the small businesses really are not having any problem.

The idea of the litigation explosion has been answered, that you could not get insurance to get insurance. Foreign competition—the foreign companies are flowing into America without any problem of product liability. So now they try to say it is the small business thing. And, of course, the small businesses say the best is yet to come and they are having one of the finest clips that they have ever had. So they are not having problems.

We searched Lexis-Nexis to find where these egregious verdicts are that this particular measure would take care of. They are nonexistent. So we looked at the bill itself. And you find out really what is a politically rigged instrument to take care of the political needs, not the business needs, of America, whereby you take a poll and kill all the lawyers. And we have been into that.

The lawyers have become unpopular until everybody needs one. And the best of the best lawyers, who have been bringing these cases and succeeding and everything else, are to be sidelined in this drive by big business, all under the cover of small business.

The bill itself, Mr. President, is an atrocity. I say that because now the plea, in the preamble of the Rockefeller-Gorton measure, is uniformity. And they start off immediately saying, with punitive damages, those States who regulate the punitive damages or control them are not applied to by this particular measure; but those States that have it, this bill would apply. So there is no uniformity on the very face or attempt to get uniformity itself. It is not just for small businesses. That is for all businesses, large and small, relative to the matter of uniformity and relative, of course, to the matter of small businesses itself.

But we come, Mr. President, with the phone ringing all during the weekend and last night with respect to the sellers being exempted under this bill. They know what they are doing. There are dozens and dozens of cases up in New York to the effect that the sellers—only one—the hospital, where they have incurred AIDS, hemophiliacs have incurred AIDS, through tainted blood transfusions or otherwise. And obviously they cannot find out the individual, but you know it is applied by the hospital. You want to get the safety practice by the hospital or the seller. Now, this vitiates dozens and dozens of cases over the country, and particularly in the New York area.

Again, with respect to asbestos cases, they know exactly what they are writing. They are saying, with respect to toxic materials, that, of course, this does not apply to toxic materials, that the asbestos is exempted from the 18-year statute imposed because the reference is to the exclusion of toxic harm. But, of course, asbestos is not toxic in the eyes of the Owens Corning counsel. He announced asbestos is not toxic, so they get rid of that group of cases.

Otherwise, they really come with the statute of repose, which is the most egregious thing I have ever seen. Here we are trying, in product liability, to protect consumers and individuals, and they say now that they would exempt an injured person from a defective product; but the purchaser or owner of