United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, MONDAY, JULY 30, 2001 No. 108

Senate

The Senate met at 1 p.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, You have told us that to whom much is given much is required. Thank You that You have taught us also that to whom much is required, much shall be given. Lord, You require a great deal of the women and men of this Senate. Provide them with an extra measure of Your strength, wisdom, and discernment for the crucial work of this week. Help them to know what You want and then to want what they know; to say what they mean and mean what they say. Give them resoluteness and intentionality. Free them to listen to You so intently that they can speak with courage and conviction. Keep them in the battle for truth. In Your all-powerful name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the first half hour is for that of the Democrats. The second half hour is for that of the Republicans. We are going to have time evenly divided between 2:30 and 5:30 on the motion to proceed to the emergency Agriculture supplemental authorization bill.

The majority leader has directed me to announce to everybody that we have a schedule this week that we must complete. We have to complete work on this very important Agriculture supplemental. It is an emergency measure that is very important to the country. We have the VA–HUD appropriations bill to complete. We have to complete the work of the past week on the Transportation appropriations bill. Also, we must do the Export Administration Act.

The reason we must complete the Agricultural Assistance Emergency Act is because, if we don't, we lose funding. It is targeted so that if this money is not spent prior to the first of September, it is basically lost for the farmers of this country, and that would be a real disaster.

The reason we must complete the Export Administration Act—the most important piece of legislation the high-tech industry has this year—is because this act expires in the middle of next month. Even if we extend it, it is not anything that will help the high-tech industry. We need to change the basic foundation of the act because what is happening is American companies are having to go overseas to start manufacturing these products because some of the real simple pieces of equipment that can be bought at Radio Shack, such as the PalmPilot that I use, people say is in violation of the present act. We need to be able to sell these export products to foreign countries, where about half of our market is.

The Transportation appropriations bill—the leader indicated that sometime this week he will call for another cloture vote. Based upon prior votes on this matter, cloture should be passed—cloture should take effect, and we would have 30 hours after that.

We have a tremendous amount of work to do this week prior to the August recess. I hope that we can complete all of these things in a timely fashion. As soon as we complete them, we can start the August recess. Until we do that, it will be difficult to do.

The PRESIDING OFFICER. Under the previous order, the time until 1:30 p.m. shall be under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

Also, under the order previously entered, the time until 2 p.m. shall be under the control of the Senator from Iowa, Mr. GRASSLEY, or his designee.

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

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

LEGISLATIVE AGENDA

Mr. REID. Mr. President, one of the things I want to visit about this morning is something I read in the morning newspapers; that is, there is now another effort being made to pass a constitutional amendment to balance the budget. I hope that people will get a new page in their song book. We have danced that tune. We have had long hours and days of debate in the Senate on a constitutional amendment to balance the budget.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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From the information I have received, they still want to do it using the Social Security surpluses. It seems to me that we have done very well without a constitutional amendment to balance the budget. When this debate started, as you will recall, based upon the beginnings of the Reagan administration, there was an effort to cut taxes and increase spending. That was a recipe for disaster. We now have a debt of about $5 trillion as a result of that. We have now, it seems, the same basic scenario. There is being an effort made to cut taxes, and we already know, based upon having passed the supplemental appropriations bill, Mr. President, that our surplus is basically gone.

In an effort to further grind down domestic spending, it appears there is an effort being made to go back where we were a few years ago saying what we really need to make things great in this country is a constitutional amendment to balance the budget. When that debate started during the first Bush administration, there was an annual deficit of about $300 billion.

In the last 8 years, we have been able to do a great job without a constitutional amendment. We have reduced the annual deficit to where now we are having surpluses. Prior to this budget—we will see how much damage this budget does to the progress we have made—we have been able to have many months of low inflation and low unemployment, the longest in some 40 years.

We have been able to reduce the Federal payroll, separate and apart from the military, some 300,000 fewer jobs than we had before. Job creation has been really significant. Some 22 million new jobs have been created. I am trying to figure out why we need, at this stage, a constitutional amendment to balance the budget.

I am afraid what has taken place in this short administration of Bush II is, it appears, a recipe for disaster. I say that because the income of this country will be cut back significantly.

I made a call today, and I am not going to divulge the name of the individual to whom I spoke, but I would be happy to do that privately with the President pro tempore or anyone else who wants to ask me, but I will not do it for the press because it was a relatively private call with someone at a large corporation.

He indicated that in the last few days the value of this stock, of this major American corporation, international corporation, has dropped some 70 percent—in a matter of about a week.

The chief executive officer of this major company told me this morning he believes for the first time this softening of the economy we have all talked about is now being felt worldwide. This is a worldwide company. For this stock, in a week's period of time, to decline 70 percent indicates this country had better slow down and slow down its efforts to change the way things have been going.

They have been going great. Senator Moynihan, who was a valued Member of the Senate, said there are Members of the Senate, Members of Congress, people in and outside of government, who for decades have determined they cannot cut back domestic spending by facing it head on and saying we want to cut this program for the Forest Service or for any program one wants to pick—the Corps of Engineers, the Bureau of Reclamation, which entities do so much good—they cannot do this head on because these entities do so much good. I have just picked a few off the top of my head.

What they are doing instead is just squeezing down the domestic discretionary spending so these entities will, in effect, starve themselves, and that is what is happening. That is what Senator Moynihan said was going to happen, and it appears he is right. What they are trying to do is starve the domestic aspect of our spending.

We are going to have to realize what we are facing. There are going to be huge requests even this year for more defense spending, and I am sure there is a need for more defense spending, but also there is a need for domestic discretionary spending.

I held a hearing in my subcommittee of the Environment and Public Works Committee last Monday, dealing with this Nation's infrastructure. I brought in mayors from around the country to talk about what is happening in their cities. It is scary, to say the least.

The mayor of Atlanta, GA, said that most mayors in America now are on term limits and the No. 1 wish of mayors from around America is: Please do not have the water system, the sewer system, break down, before my term is up. Let the next mayor face the problem because it is coming. It is just a question of when.

The mayor of Atlanta said in this relatively new, modern city in the sense that most of the growth has taken place recently, there is a very big backlog of things which need to be done. Some of their water systems in Atlanta are very old and are being put together by—I am exaggerating—chewing gum. They are just holding them together. They do not have enough money to do it right.

I had Mayor Williams of our National City, Washington, DC, testify in my subcommittee. Those of us who spend a lot of time in Washington, DC, have all seen and read in the paper about the manhole covers blowing off in the Georgetown area. He said that is a result of work not being done that needs to be done with the electricity, with the sewers, with the water systems. He said some of the water pipes in Washington, DC, are old wooden pipes.

We heard from the Mayor of Washington, DC, saying the infrastructure needs of this metropolitan American Federal city are disastrous. He needs help. If there is a city in America we should help, it is Washington, DC, where tourists come to see the Nation's Capitol, but we have manhole covers blowing off into the air like mortars. He said there are going to be more of them; they do not have the wherewithal to fix them.

Mark Morial, the mayor of New Orleans, came in and testified. New Orleans is a famous city, with a great and rich heritage. I am reading a book now about Andrew Jackson, ''Battle of New Orleans.'' It is a wonderful book. New Orleans has 100 water pumping stations. That is the way it is. That is the way they have to get the water out of the city. There is lots of water. If they did not pump the water out, the city would be flooded. The pumping stations use pumps over 100 years old.

The mayor said, how much longer can they keep doing what they are supposed to do? The pumps are 100 years old. Some of those pumps came into existence before the turn of the last century, and we are still using them.

The mayor of Las Vegas, NV, Oscar Goodman, testified. It is the most rapidly growing city in America, the fastest growing State in America.

I asked: Is it true, Mayor Goodman, we must build 12 new schools every year in the Las Vegas area, 1 every month, to keep up?

He said: Senator, you are wrong. It is now up to 14. We have to build more than one school every month to keep up with the growth there. We really need help. Las Vegas needs help. Clark County, where Las Vegas is, needs help.

What are we talking about doing? Spending time on the Senate floor talking about a constitutional amendment to balance the budget? We need to talk about ways to help the cities of Atlanta, New Orleans, Las Vegas and Washington, DC. That is what we need to be spending some time on.

We are on a literal powder keg of things that need to be done for our cities.

I also say this: If there was ever a time for bipartisanship, it is now. The Senate is under the control of the Democrats, just barely. The House is under the control of the Republicans, just barely. We have a man who is President of the United States, who received fewer votes than the person he beat. It would seem to me this is a time that cries out for bipartisanship, to work together to get things done.

Yet we had a filibuster last week that held up another appropriations bill. It was based on an issue—and I know the people who disputed the Mexican trucking issue believe fervently in their side. There were two sides, and both believed in their causes. What went on in this Chamber was not good for the well-being of the country. We needed to pass the appropriations bill, take it to conference. That is where it is going to be decided. It is not going to be decided in the Senate.

The House has a provision that, in effect, bans Mexican trucks coming into America. It passed by a 2-to-1 margin. What we had crafted by Senators SHELBY and MURRAY was a middle ground,

and that still was not good enough. The bill was taken down and will be brought back up. We will vote again on cloture, and this week sometime we will pass the Transportation appropriations bill.

But we need to work on issues that are important to this country. Last week a report came out dealing with Social Security and what needed to be done. One of the main directions of that report is for the President's commission to do an analysis of Social Security. Most everyone said the people had a preconceived idea before they were appointed, and that is to privatize Social Security. We have heard from a lot of people that such a plan would require a 41 percent cut in benefits in order to maintain Social Security solvency, according to an October 2000 Century Foundation analysis by the country's leading economists. It is very unlikely that private accounts would earn enough to dig out of the hole. Average single earners would still face 20 percent cuts, with married couples and lower earners doing even worse. So there are a lot of issues that we are being forced to talk about by the administration.

I think it is important we take a look at Social Security to see what we can do to build it up in the outyears, but for people saying Social Security is a disaster, it is broke, simply isn't true. Everyone will draw 100 percent of the benefits until almost the year 2040. And if we did nothing with Social Security prior to 2040—and I certainly hope we will not—people would still be able to draw 80 percent of their benefits. They should be able to draw 100 percent of the benefits.

I think that another direction we are getting from the White House is not appropriate, and that is talking about Social Security being bankrupt. It is not. We need to take a look and do some things so in the outyears it is going to be strong and everybody can draw 100 percent of their benefits, not just 80 percent of the benefits. We also look forward to having the committee chairmen work hard on having hearings so that we can report out as many of the President's nominations as we can. I personally think that the process isn't good; it takes so long. There is a huge hole at the end, and all these nominations are stuffed in this hole. At the other end, where they come out down, it is about this big. It is a very tiny little hole. It is a funnel that has a small end on it. What happens is we do not have the opportunity in a timely fashion to look at these people. They go through the Justice Department, vetted by the White House, and outside entities take a look at them. It has become so burdensome that even an independent analysis says the quickest President Bush can have all his nominees in place will be next February. That is really too slow, and we are going to do our best to process these nominees as fairly and expeditiously as possible.

Mr. President, I would hope that we are allowed to go to the Emergency Agriculture Assistance Act of 2001. It is very important legislation for almost the entire country—I shouldn't say almost the entire country. It is important for the whole country. Title I deals with commodities, and these commodities are things that we take for granted. When we go to the grocery stores, these things are always there. Farmers have difficulty year after year doing what needs to be done. This is an emergency supplemental. As we have heard on this floor from Senators from different parts of the country, if their farmers don't get relief, they will, in effect, go bankrupt. That is why we need to do this as quickly as possible.

Title II is very important. It deals with conservation. There is a new part of the bill that has received a lot of direction and attention. The conservation aspect of this bill is important because we are looking at things we haven't done in the past, such as wetlands reserve programs and conservation reserve programs. So I would hope that Senators HARKIN and LUGAR, who will be the managers of this legislation, are allowed to go forward with this bill as quickly as possible.

It is too bad we are going to have a cloture vote on the motion to proceed, but that is what we have been asked to do.

Title III deals with nutrition, which is a substantial part of this program. It requires a Farmers' Market Nutrition Pilot Program, distribution of commodities, things that again we take for granted. So I hope that we move to title IV dealing with credit and rural development, which is certainly something that Nevada cares about; title V dealing with research; and title VI, disaster assistance, we can move as quickly as possible.

We understand there will be a number of amendments. We hope that we could move to these amendments quickly and not have to face another cloture motion on the bill itself. I think all we are doing is holding up legislation that is vital to the very existence of the family farm. We have heard time and time again how important family farms are to America. This legislation will preserve thousands of family farms that are in desperate shape at this time.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Alaska is recognized.

ORDER OF PROCEDURE

Mr. MURKOWSKI. I thank the Chair. I ask unanimous consent that I may proceed as if in morning business. I understand 30 minutes has been allocated to Senator GRASSLEY. I would ask unanimous consent that since Senator GRASSLEY has indicated he cannot be here at this time, 20 minutes of the 30 minutes be allocated to me and the balance remaining, approximately 10 minutes, to Senator CRAIG THOMAS of Wyoming.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, would it be permissible to the Senator that Democrats still have 5 minutes at the end of his time?

I ask unanimous consent that we have the last 5 minutes.

The PRESIDENT pro tempore. Will the Senator repeat the request.

Mr. REID. Yes. I ask unanimous consent that the Senator from Alaska have 20 minutes, Senator GRASSLEY 10 minutes, and the Democrats would have the last 5 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MURKOWSKI. I believe Senator REID misunderstood me. This was Senator GRASSLEY's time. Senator THOMAS wanted the remaining 10 minutes. I have no objection to providing the last 5 minutes to the other side.

I thank the Chair.

The PRESIDENT pro tempore. The Senator from Alaska, Mr. MURKOWSKI.

ENERGY CRISIS

Mr. MURKOWSKI. I very much appreciate the senior Member of this body, the President pro tempore, who is presiding at this time, for giving me the opportunity to advise my colleagues of the seriousness of the energy crisis in this county. I think we would all agree that the matter of energy is something we take a good deal for granted. We take for granted that America has been blessed with an affordable, plentiful, reliable supply of energy which pretty much provides us with a standard of living second to none. But it is something, again, that is there. We take it for granted. And we look forward to it continuing.

We have had some attention given to the crisis out in California, but for the most part it has not hit the majority of Americans. I think it is fair to say from the following information we have seen there is a growing concern that perhaps what happened in California could spread to other parts of the country.

As far as our national security is concerned, we have had a lot of discussion; we have seen communiques; we have seen articles concerning the national security of our country tied into energy simply because we have increased our imports of crude oil into this country from about 37 percent in 1973 to over 56 percent at this time.

As a consequence, we have become more beholden to OPEC and, the OPEC cartel, and the OPEC cartel has set a price structure of $22 to $28 and reduced supply. It is pretty much assumed now we are going to be in a period of increased dependence on imported oil from OPEC in the Middle East for the increasing timeframe in the future until we find another alternative to crude oil, which is not likely to occur.

In addition, we have economic security which, of course, is fostered by

growth and our continued expansion of jobs and the personal aspects associated with energy. The security of our lives is somewhat dependent on energy, the future of our dreams. We have factors to consider such as commitment, safety, and freedom from harm. Energy is directly related to that in the sense of what happens when our kids are home; the lights go out, the security alarm does not work—things to be concerned about in a very rapid period of time. We have the issue of job security to keep Americans at work and create more jobs. Energy powers the workplace, and that moves this economy forward, bringing each of us along with it.

As we look at our standard of living, our plentiful supply of energy, the affordability, and the recognition that some of this is in question, I think we have to look at the reality associated with the actions being contemplated in this body and the House of Representatives. It is our understanding that the House of Representatives will be addressing an energy bill this week.

The reason things are different this time is we have brought together a set of circumstances which I have highlighted on previous occasions, but previously it was different. We have had a series of situations highlighted by what is happening in California. We have seen an increased dependence on foreign oil, as I have indicated, of 56 percent. The Department of Energy indicates that will increase to 64, 65, 66 percent by the year 2010.

What is different about oil compared with our other sources of energy? America and the world move on oil. We have other sources of energy for electricity, including coal, natural gas, wind, hydro. But we use oil. As we look at our increased dependence on foreign oil, we recognize it affects our national security. Yet we are becoming more and more subject to control by the Middle East. We have not had any nuclear plants licensed in over 10 years in this country; nuclear is about 20 percent of our energy. We have seen gas prices soar from $2.16 to over $10 and then come down again, but nevertheless we have seen a dramatic increase at a time when we are using natural gas at a faster rate than we are finding new gas reserves. We have not seen a new oil refinery in this country in almost 20 years. We have not seen a coal-fired plant built in the last 10 years. We find suddenly we do not have adequate transmission; the transmission lines are overloaded, both natural gas and electricity. So things are different now.

I fear as we pursue an energy bill in the Senate, we are going to end up where we were the last time we attempted to make some subjective corrections. I think it is important to recognize this in the Energy Committee where most of this legislation resides. In 1992, we passed a number of very positive, meaningful bills out of committee to increase domestic production, to reduce our dependence on foreign oil, to expedite infrastructure, develop alternative fuels, encourage renewable fuel development, promote conservation, and increase funding for the LIHEAP program which provides assistance for those with low income.

My point is we passed a meaningful bill but what we enacted was virtually nothing: Double flush toilets and a left turn on a red light. That is what we passed.

If we pursue an energy bill this time, it appears to me we are pursuing much of the same that we passed in committee but are not passing into law simply because of a concern by well-meaning environmental groups that there is something wrong with increasing supply. We will have to increase supply.

I also point out job security. This is a jobs issue in the United States. It was interesting to hear the debate the other day in the House of Representatives. The Teamsters and the Democratic caucus had an opportunity to express the merits of increased supply.

As a consequence of the points I made relative to the fact that things are different, yet we are pursuing the same old alternatives, we are putting emphasis on renewal, putting emphasis on alternatives, placing emphasis on wind power and solar power, but we are not really increasing supply as the demand has increased.

This chart demonstrates what is happening. The burden of increasing energy bills hurts most those families who can afford it the least. Almost 14 percent of the family budget is spent on energy for families earning less than $15,000. The point is obvious and most convincing: Runaway energy rates are costing Americans a great deal of money in their households, as well as costing jobs.

We have reviews from coast to coast. American working families have seen more than 400,000 jobs basically disappear since the first of the year. A large reason for that, a significant reason, is the cost of energy. In June alone, 114,000 jobs were lost. Most of those were good-paying jobs, manufacturing jobs, for so many families. We saw Northwest Airlines lose 2,000 jobs; International Paper, 3,000 jobs; aluminum plants in the Northwest find it more profitable to sell electricity than make aluminum; Miller Brewing Company found high energy costs made it more economic to brew beer in Dallas and ship it to California instead of brewing it there in the first place. In Delaware last week, Du Pont indicated it was relieving its workforce by some 1,500, and possibly up to 5,000, jobs and another 1,500 contract jobs. The reason? Increased energy costs.

The problem is widespread: 54 companies had mass layoffs in Wisconsin in May, a significant portion due to high energy costs; Oregon alone has had 7,000 employees laid off since last summer. State officials blame rising energy and fuel costs. California blackouts have cost 135,000 jobs in California. Unless we turn this around, the economic doom of a few short years ago will turn into a prolonged bust. The reason for this is the demand has increased but we have not increased the supply.

As I indicated, the emphasis has been on renewables and alternatives. We spent some $6 billion, but they still account for less than 4 percent of the total energy mix. That includes hydro as well. As we look at potential solutions, there are some at hand. That is the President's comprehensive, balanced natural energy plan. The plan includes more than 100 specific recommendations to increase conservation, improve energy, and domestic supplies of energy as well. This plan will directly create more than 1.5 million new jobs. We need these jobs in the United States today.

The direct benefits speak for themselves, but the indirect benefits will be immeasurable. By easing energy costs, returning stability and reliability to our energy grid, businesses can again look forward to growth, and that means jobs. Through incentives to promote new energy production, the energy plan will help to ensure meeting our growing demand. New energy supplies mean new jobs. They mean the stability of existing jobs. The plan places an emphasis on American ingenuity and American technology. We are using our best and brightest to craft solutions to these energy problems. It will take hard work. It will take new thinking and new jobs as well.

The plan also encourages development of resources that exist here at home, and that includes the safe exploration for energy under a small portion of the Arctic National Wildlife Refuge.

It is interesting to see some of the propaganda on this issue. I have here a page from Rollcall. It is sponsored by a number of the environmental groups—American Rivers, Defenders of Wildlife. It is rather interesting because what it says is what, in effect, we did in 1992. It says:

> Let's Promote Clean Energy
>
> A responsible bill would encourage the use of clean energy and set significantly higher efficiency standards for motor vehicles to reduce global warming pollution. Clean and renewable energy sources, such as wind, solar and geothermal. . . .

That is where we were in 1992. Surely we want this technology. But it simply is not here yet. It now constitutes less than 4 percent of our energy supply.

This is part of the problem when we listen to our well-meaning friends who simply propose a clean energy bill. They do not say how we are really going to increase the supply. We have to dramatically increase the supply.

Rollcall says:

> Let's Reduce Pollution
>
> We could significantly cut emissions of global warming pollutants by setting stronger fuel economy standards for cars, SUVs and light trucks.

They talk about 40 miles per gallon. But they do not talk about the preference of Americans to buy automobiles. One of the interesting things in this country is that the 10 most fuel-efficient automobiles on the market today constitute exactly 1.5 percent of the automobile sales.

They also say:

Let's Improve Energy Efficiency

The cleanest, cheapest, quickest way to meet our energy needs is to improve energy efficiency. To help consumers, let's have an energy bill that dramatically increases the fuel economy of our vehicles. . . .

That is fine, but what does it do to increase supply? We have hydro; we have nuclear, but it does not say anything about increasing nuclear energy in this country, which is clean.

We are going to fall into the same trap we did in 1992. We are going to go through a lengthy process here, but we are not going to produce any more energy. One of the things that bothers me a little bit is the misleading statement in this particular ad. It says:

The bill would open up pristine and ecologically fragile lands like the Arctic National Wildlife Refuge and the Rocky Mountain Front to oil drilling. There's no excuse for sacrificing these and other national treasures and the wildlife that depends on them. . . .

They further say:

The economically recoverable oil in the Arctic Refuge would meet only six months of our nation's needs, and wouldn't start reaching us for ten years.

Both those statements are absolutely false. To suggest it would be a 6-month supply would be to assume that there would be no other energy produced in the United States or imported into the United States for a 6-month period.

If you want to turn it around, you say: Therefore we are not going to allow any development to occur in Alaska. Therefore the United States will be short a 6-month supply.

It is used over and over again. It is a standard environmental pitch. It says it would take 10 years. It would not take 10 years. The Department of Energy and Department of Interior have indicated they would have oil on line in 3.5 years, if indeed the oil is there in the abundance it has to be.

In conclusion, I think we should note a couple of facts that are very real. We are looking at jobs in this country. Opening ANWR would create about 700,000 new jobs nationwide, associated with the development of ANWR if, indeed, it carries the reserves that we anticipate.

We anticipate somewhere between 5.6 and 16 billion barrels of oil. That would equal what we would import from Saudi Arabia over a 30-year period of time.

Here at home we have this opportunity. We are not going to drill our way out of this crisis, but we can substantially relieve our dependence.

The other point I want to make is about national security. We are becoming more and more dependent on countries such as Iraq where we enforce the no-fly zones. Sadam attempted to shoot down our U–2 just last week. We buy a million barrels of oil from Iraq, and what do we do with the oil? We put it in our planes and go bomb him, take out his targets. He develops a missile capability and aims it at our ally, Israel. I don't think that is the best foreign policy.

If you look at the ANWR chart, you get a different view of the realities. And the reality is there is a huge area called ANWR. It is a relatively significant portion of dedicated wilderness: 8.5 million acres are in wilderness, 9 million already in refuge, and 1.5 million acres are the 1002 area that we are considering opening. There is no scientific evidence that says we cannot do it safely.

What about refuges? We do all kinds of development in refuges. We have 30 refuges all over the country where we drill for oil and gas. These are the States that have them. We have the specific refuges here in Texas, Oklahoma, North Dakota, New Mexico, Montana, Mississippi, Alaska, California. What is so different about ANWR?

Is there a reason we cannot use this technology in ANWR? Refuges are open to exploration for minerals and oil and gas as well. It is easy to confuse a refuge with a wilderness or with a park, but we do not allow any motorized access in wildernesses and parks. Each is unique to its own specific purpose. The balanced use of Federal land is commonplace in a refuge. It is the norm. So many people misunderstand that.

In more than 30 Federal refuges from coast to coast we safely explore for mineral resources. There are over 400 wells in Louisiana alone, so what is different about ANWR?

By definition, refuges are balanced places where the environment is always protected and resources are explored only where the resource exists. ANWR is a refuge and it is no different. To suggest we cannot do it safely is not proven by any scientific evidence. This is an emotional argument brought about by the environmental community to generate revenue and dollars.

Let me conclude with a couple of references because my time is almost up. We have new technology in ANWR. The new technology is the directional drilling which lends itself very much to 3D seismic. The old way you used to drill was to go straight down. If you hit it, you were lucky. This is the new systematic 3D seismic which allows you to get into the pockets of oil. It is estimated by the technologists, today if we were going to drill under this cap, we could come out at gate 8 at Reagan Airport. This technology has advanced that much.

We have the toughest environmental standards here in the world. Prudhoe Bay is the finest oilfield in the world even though it is 30-year-old technology.

What is Prudhoe Bay? Prudhoe Bay has produced its thirteen-millionth barrel of oil. It was supposed to only have 10 million barrels. My point is, as we look at the prospects for ANWR, the prospects for a major discovery according to the geologists is quite good, with an estimate of 5.6 to 16 billion. If it is 10 billion, it would be as big as Prudhoe Bay which has supplied this Nation with 20 percent of its crude oil for the last 20 years. Exploration would be limited to a sliver of land, roughly 2,000 acres.

We have ice roads, which is new technology, as the chart will show. This is the directional drilling. There are the ice roads. We build these out of water. Some people say there is no water in the North Slope. That is ridiculous. You build snow fences, generate snow, you can drill down below permafrost and there is plenty of water, or you can take the salt water and use it through a desalination process, which is quite common.

This advanced technology makes the footprint manageable. A 2,000 acre-foot would average five average family farms. Caribou do not calve in the 1002 area. They did not this year or the last 2 years. Here is a picture of the calving area. The environmental arguments just do not support any of these generalizations.

There is an abundance of drilling on the Canadian side. There is a caribou herd. Here is the information on the charts. It shows where Anderson Exploration conducted seismic studies. There are lease sales and echo plan areas all over the Canadian side. Here is the range of the Porcupine caribou herd, and here is the drilling that is going on. Of course, here is Alaska and here is Canada.

My point is to suggest that while the Canadians object to our initiating activity, they have a very aggressive ongoing program. Obviously, they look at themselves as competitors with Alaska supplying the United States with oil and gas.

Exploration and development of ANWR is supported by Alaskans. Alaskans are proud and protective of the environment. Alaska has the best oversight in the world in the development of oil and gas. Prudhoe Bay is required to adhere to State law as well as Federal law. We care about where we get our oil. If we look at the area of Saudi Arabia and OPEC nations, we don't seem to give any consideration on how it is produced and whether it is done environmentally and in a compatible manner.

Alaskans are proud and protective of the environment, and we are willing to do our part to end the energy crisis. There is no NIMBY in my State; that is, ''Not in my backyard.'' Seventy-five percent of all Alaskans favor exploration. The Alaskans who live there—the people who must breathe the air, drink the water, and make the decisions about their communities—support exploration. It is absolutely unfair to deny them the same kind of opportunity everyone else enjoys in this country.

Kaktovik is a small village in ANWR in the 1002 area. Environmentalists say there is nothing there, that it is the Serengeti of the north. It is a village of about 250 people. There is a physician there, a small school, and a general store. They are real people.

Do not be misled by the suggestion that somehow we don't have the capability and we cannot do it safely. We can. Why not do it for American jobs?

This issue reaches a critical mass this week as Congress finally—and I emphasize ''finally''—begins to work on a comprehensive energy bill. I urge my colleagues both here and in the other body to recognize that this is a fork in the road, and our efforts can have great impact for the American worker. Do we continue down the path of instability and rising energy costs—a path that finds more American families with pink slips and uncertain futures—or do we head down a path for job creation based on solid science and growth?

With a comprehensive, balanced national energy strategy in place, we can look forward to reliable, affordable, and plentiful energy that has fueled this economy in the past and that will power a bright future. I hope that is the choice because we cannot afford to make the mistakes we made in 1992.

I will not stand by in this body and allow us to pass an energy bill that does not increase the supply of energy in this country. It simply is unconscionable. That is apparently where we are headed, to some degree.

I think it is important that we recognize what is going on in the House of Representatives and those in opposition who are suggesting alternative renewables with no increased supply, and recognize that we have a serious concern over the loss of jobs in this country.

I ask unanimous consent to have printed in the RECORD an article from the Chattanooga Times by Lee Anderson who has been to ANWR and has some interesting things to say about it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

President George W. Bush wants to help head off our future energy problems by drilling for oil in the far, far north of Alaska, in an area called the Arctic National Wildlife Refuge.

Environmentalists and liberals are yelling, ''Over our dead bodies.'' And now that the Democrats control the United States Senate, they think they will win. But would you rather continue to rely on Iraq's Saddam Hussein and a host of other foreign nations for American oil?

There are some facts about Alaska and the Arctic National Wildlife Refuge that sensible people should look at rationally—though many people won't do that.

In the first place, the proposed drilling site is so far away and in such a desolate, cold and forbidding area that almost no one will ever see it.

Second, it's not far from Prudhoe Bay, where current oil production is proceeding without serious problems.

But perhaps most important is the fact that the proposed oil production would affect very little land. Consider:

Alaska spreads over 615,230 square miles; already has 125 million acres in national parks, preserves and wildlife refuges.

The Arctic National Wildlife Refuge consists of 19 million acres. But the area proposed for drilling is only 1.5 million acres. And of that, only about 2,000 acres—about twice the size of Chattanooga's Lovell Field—would be used.

Will reason prevail and bring oil production? Probably not soon.

Mr. MURKOWSKI. Mr. President, I yield any remaining time to the Senator from Wyoming. I thank the Chair for his attention.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Thank you, Mr. President.

I appreciate the comments of my friend from Alaska. Certainly that issue is important to all of us. We will be dealing with it soon.

SENATE AGENDA

Mr. THOMAS. Mr. President, I want to talk about some of the bills that are coming up and what I see as a very important aspect of what we do here in the Congress. What we do, of course, is important. But let's have some reasoning about where we want to be over time so that the decisions we make as we go through our daily work will be implemented with a vision of where we want to go.

Obviously, we have different views of what our role is here. I was listening to my friend from Nevada, who is concerned about balanced budgets because the Federal Government will not be able to spend enough. Others believe that maybe a balanced budget is where we ought to be and that there ought to be some limit on the size of government.

The fact is that States and local governments are very important components. It makes a difference in where you see things down the road.

I am specifically interested in what is happening in agriculture. We will have a bill before us today on supplemental funding for agriculture. Before long, we will have the 2002 appropriations for agriculture. More importantly, perhaps next year or even at the end of this year, we will have a new farm bill. That farm bill and the appropriations bills we are now dealing with will help us decide where we are going in agriculture.

Those are the kinds of decisions in the longer term that we have to make. Of course, we have to deal with the necessary daily things, but we really ought to be asking where we want agriculture to be in 10 years or in 15 years. These appropriations bills will have a great deal to do with where we go.

I think the same thing is true with health care. We are in the process right now of seeking some revision of Medicare. It is needed. We are talking about how we are going to handle pharmaceuticals. What is it we want? How do we want health care structured over time? What do we think is the best way to serve the people of this country? Those are the kinds of decisions that I think too often we don't really give enough consideration to—where we are tied up with how we are going to get funding for this for next year and how we are going to keep this program at this level.

Hopefully, we can step back and see with some vision. Maybe you call it 20/20. Where do we want to be over a period of time?

The Senator from Alaska talked about energy. We are doing some things with energy. Here again, I think we ought to be talking about where we are and some of the things we want to have happen over time, with less dependency on overseas and less dependency on OPEC. At the same time, I am sure we want to be certain we have an adequate supply so that we will have a strong economy and so we can do the things we want to do—reasonably priced—over the long range.

One of the things we experience in my State, an energy-producing State, is boom and bust. All of a sudden, natural gas is worth $9 when it was $1.5 or $2. Everything goes up all of a sudden. Then the price comes down, and the economy comes down.

We want diversity of fuel; we don't want to be dependent on one thing.

Conservation: Obviously, we need to decide what to do. What do you want over time? We want conservation. Is that too much of a sacrifice? Can we do research so that conservation will allow us to use less fuel and still have the same kind of services? I think so, with renewables and new uses.

I remember someone talking at an energy meeting in Casper, WY—where I live—saying we have never run out of a fuel. I suspect that is true. What do we do? We find new and better sources or we use them in a better way. I suspect that is what we ought to be thinking about in terms of applying our long-term efforts.

What about agriculture? Obviously, we want sufficient food. Obviously, we would like to be able to supply food to foreign markets. We want clean food and safe food.

I think most people would like to see family farmers remain on the farm so we don't become an entirely corporate body. Of course, we want to preserve open space. We want to preserve the lands that are being used—and farm communities.

These are some of the things we really ought to measure against what we are talking about to see if they indeed have the best chance to produce those kinds of visions.

Medicare: We want health care for everyone. We want to keep it in the private sector—at least some of us do. Sometimes that is a different point of view. We want to encourage research. We want to limit catastrophic costs so no one is saddled with unreasonable

costs; and, of course, control utilization. How do you do that? Certainly, each of us has to have a little participation in the cost. We want top-quality care.

My time has about expired. I want to make the point that we have some opportunities always, but particularly on those three bills. There will be others that will help shape the future. Education, of course, is another one. Where do we want to be over a period of time?

I am hopeful that in addition to doing those things—obviously, in the short term—we will also measure what we do and how it will impact what we give when the time comes for us to deal with it in the future.

I think my time has expired. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAYTON). The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent I be allowed to speak for up to 5 minutes in morning business.

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

ENERGY

Mr. BINGAMAN. Mr. President, I want to summarize where we are on the comprehensive energy legislation issue that all of us are interested in moving ahead, and to tell you my perspective on it at this point.

As we began the year, we identified two sets of issues. There were the short-term challenges we faced as a country, and then there were the more long-term issues. The short-term challenges included the very high prices for electricity in California, which I think all of us recognized at that time were not just unreasonable but were exorbitant really for many residents in California. Really, the wholesale prices, being very high, were not being passed on to consumers at that time, although the consumer retail prices started to reflect those high prices that had been charged for such a long time.

Second, of course, natural gas prices were very high. That was a concern.

A third short-term concern was the inadequacy of funding for the Low Income Home Energy Assistance Program. That is the program Congress put in place many years ago to help low-income families in this country pay their utility bills. The demand on that program was so great during this last winter, and even into this spring and early summer, that most States that operate that program, and are dependent on Federal funds to do so, were out of funding. So that was another short-term problem we needed to address.

Fortunately, most of these short-term issues have been addressed in some significant way. The price of wholesale power in California has come down, perhaps not as far as it eventually will and should, but it has come down substantially. The price of natural gas has come down. Again, that is not being reflected to the extent it should as yet in home utility bills, but that hopefully will happen quickly, too.

As to the LIHEAP program—the Low Income Home Energy Assistance Program—we have put $300 million of new funding into the supplemental appropriations bill that we sent to the President to try to keep that program functioning through the rest of this summer.

So those are short-term issues we have seen resolved to some extent. And I feel good about that.

There remain, however, a great many long-term challenges that the country has in dealing with its energy future. Let me mention a few of those because I believe we can work in a bipartisan way to deal with them to help resolve those issues.

One, of course, is supply. We do not have assured adequate supply going forward over the next several years. We need to look at ways to increase supply. One is affordability. We are concerned about the price of the various sources of energy: Electricity, natural gas, gasoline at the pump.

Efficiency in the use of energy is a major challenge. We have tremendous inefficiency in power production in this country. We need to find ways to increase efficiency in that respect. In many cases, two-thirds of essentially all the power for fuel going into our power plants is lost because of inefficiency in power production.

I believe we all want less pollution from the burning of fossil fuels. I think we have come to recognize that as fossil fuels burn we do have pollution. We need to find ways to diminish that. We need more diversity in our fuel supply. We need to shift to more use of renewable energy, to the extent the technology permits that, and to the extent the cost of producing that renewable energy permits.

So we have a great many long-term goals that the country wants to achieve. I believe we can do that. I think we can do it in this Congress. I think we can do it in this session of this Congress.

The President, to his credit, has presented the country with a national energy plan. There has been a lot of criticism of parts of that plan. I share some of that criticism. But I do think the President should receive credit for having made this a priority issue for the country. He has said this is something he thinks needs to be addressed. I agree with that; this is something that needs to be addressed.

We need to pass an energy bill addressing these long-term concerns. The House of Representatives is expected to act this week on a major energy bill. There will be substantial controversy about some of the provisions in that bill. And there are, frankly, several provisions in the bill, as it comes to this Chamber, with which I do not agree.

I do not agree with the proposal to open the Arctic National Wildlife Refuge to drilling and exploration. I do not think that is a substantial solution to our problems. I do not believe we should produce legislation to accomplish that, and send it to the President, even though he has requested that we do so. So that is one point of disagreement.

I hope very much that we will do something significant to improve vehicle fuel efficiency. We are always concerned about the growing dependence on foreign sources of oil. And those sources are growing. We import a tremendous amount of oil. Most of that goes into the transportation sector, and most of that for cars and light-duty vehicles of various kinds. So we need to find ways to increase vehicle fuel efficiency. We can do that as well.

Let me say there are a great many other challenges we also have. I know time is short. I intend to begin a mark-up of an energy bill in the Energy Committee this Wednesday. I hope we can move ahead on a bipartisan basis. Then we can also set the framework for moving ahead, when the Congress returns in September, on the balance of a comprehensive bill.

This is something that will benefit the country; it is something we can do in the Senate; and we can do it on a bipartisan basis.

Mr. REID. Mr. President, before the Senator leaves, I ask if he will respond to a question I have about the energy bill.

Mr. BINGAMAN. I am pleased to respond.

Mr. REID. Mr. President, through you to my friend from New Mexico, I was speaking with Senator LUGAR. One of the things that has so intrigued me about the legislation you will mark up is that there is a section in the bill that deals with renewables; is that right?

Mr. BINGAMAN. Mr. President, we will have a section in the bill dealing with renewable energy production. The one we are marking up this Wednesday deals with research and development and training programs. When we come back in September, we expect to have a section dealing with renewable energy production.

Mr. REID. There isn't any one answer to the energy problem, is there? It is a combination of solutions that you have talked about, such as renewables. It is going to take a lot of cooperation and partnering to be able to answer the energy needs of this country; is that right?

Mr. BINGAMAN. Mr. President, in answer to the Senator, he is exactly right. There are a variety of technologies that can help us to meet our

energy needs. There are a variety of sources for energy production. We need to move ahead on each of them. That is my view.

Mr. REID. There is no magic bullet, not one thing that is going to solve all the problems of energy relating to our country's needs; is that true?

Mr. BINGAMAN. Mr. President, again, that is certainly my view. There is no single solution to the problem. We need to make progress on increased energy supplies from a great many sources. We need to make progress on more efficiency in various ways. Clearly, we need to do a better job of conserving the energy we do produce.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business has expired. Morning business is closed.

Mr. REID. Mr. President, what is the matter now before the Senate?

EMERGENCY AGRICULTURAL ASSISTANCE ACT OF 2001—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to the consideration of S. 1246, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the consideration of (S. 1246) a bill to respond to the continuing economic crisis adversely affecting American agriculture producers.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I have spoken to one of the managers of the bill, Senator LUGAR, for a few minutes. He has now left the Chamber. Senator HARKIN will be here probably around 2:30. Senator LUGAR and I thought it would be appropriate, until the two managers arrive, if anyone wants to speak on this bill or agricultural matters in general, they should feel free to do so.

If not, I respectfully suggest that we should move to morning business until the two managers are ready to move forward on this most important legislation.

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that I may speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

ANWR

Mr. MURKOWSKI. Mr. President, unfortunately, the Senator from New Mexico, chairman of the Energy Committee, is not in the Chamber now. I had hoped to be able to pose a question to him.

That question would have been regarding his comment indicating he was opposed to opening ANWR. He did not give a reason why, nor did he have to. I hope we will have an opportunity on this particular issue to have a good debate, a debate that evaluates the issue in its entirety.

One of the things I keep referring to, with which the occupant of the Chair has some familiarity, is the unique circumstances surrounding a very small number of aboriginal residents of the north slope, the residents of Kaktovik. Their particular plight lends itself to some consideration by this body.

I don't think I will have the opportunity of using the charts, but I can probably show this better if one of the gentlemen will go back and I can get them to show the actual ownership in the 1002 area of the 92,000 acres of land that is owned by these aboriginal people.

This is the historical land of their birthright. It is their village land. As a consequence of the manner in which the Federal Government chose the structure of management of the 1002 area and the surrounding area associated within ANWR, we found an enclave of 92,000 acres of private land that could not be utilized by the villagers who own the land.

One has to address the propriety of what private land is all about, if indeed you can't use it. This particular area is in such a specific directive from Congress that the residents, the owners can't even drill for natural gas to heat their homes, let alone develop any of the subsurface rights for their wherewithal, simply because there is no way to access the area without trespassing on Federal land. This doesn't seem reasonable or fair.

I am sorry to say the charts have gone back to my office. I will have to address this matter again with a visual presentation.

These are the kinds of considerations that aren't addressed and would be addressed in the proposed legislation to authorize the opening of the Arctic National Wildlife Refuge. Why should this group of Alaska Eskimos be denied the birthright to resource their land as any other American citizen would?

This is just one inconsistency associated with this issue. It is a type of issue that would fall on the ears of many in this body who believe in fairness and equity. That is a factor in the consideration of the merits.

I am continually confronted with Members who say: I am opposed to it. They are very reluctant to get into a debate as to why. The rationale is pretty obvious. There is a lot of pressure from America's environmental community. America's environmental community has generated an awful lot of membership and dollars by taking a stand on this issue and laying down a fear that somehow we cannot open this area safely or that somehow it is contrary to traditional use to drill in a refuge.

As I have indicated earlier in my presentation today, we have oil and gas drilling in 30 refuges in this country. We have 118 refuges where there is actual oil, gas, and minerals. There are over 400 wells in the refuges in Louisiana. We have them in New Mexico. Why is it inappropriate to suddenly say we cannot allow drilling in the 1002 refuge area when we have advanced technology? There is no justifiable reason other than the pressure that is brought on Members by the environmental community. That is the kind of debate I hope we can get into.

I would like to see scientific evidence that suggests, if indeed there is a rationale to support it, that we can't do it correctly; scientific evidence to suggest that Prudhoe Bay is not the best oil field in the world in its 30-year old technology; scientific evidence to suggest that this won't create literally thousands of new jobs, such as 700,000, in the United States. Almost every State in the Union would benefit from this.

I would like to hear a debate as to why it is in the interest this country to become more dependent on the Saddam Husseins of this world. That is what has happened. As we know, 6 weeks ago, we were at 750,000 barrels a day. Today we are a million barrels a day. Are we here to do what is right for America or are we here to simply respond to the pressures of America's environmental community as it laments on fear tactics that are not based on any scientifically sound research?

That is the reality with which we are faced. As we look at what is happening in the House of Representatives this week, they are going to take up the issue.

There is going to be a motion to strike ANWR from the energy bill. It is kind of amazing to me to see what is happening over there because organized labor suddenly has said this is a jobs issue; that we are losing jobs all over the United States. But right now the one item that we can identify that would allow for the creation of thousands of new jobs is opening this area. So it is an argument as to whether you can do it safely; whether we can protect the Porcupine caribou herd; whether we can get the oil on line soon enough—in 3½ years—or whether it is a substantial supply.

As I have indicated, if it is there in the abundance it would have to be to replace what we import from Saudi Arabia in a 3-year period of time, can we do it safely? There is no evidence to suggest that we can't. These are the discussions that we will have. I hope every Member will encourage open debate on this floor on the merits of opening ANWR. I have heard people say, "I would rather this didn't come up" and "I would rather we didn't have to vote on this" and "it makes me feel uncomfortable."

We are sent here to do a job, Mr. President; to take tough votes. We are sent here to do what is right for America. If what is right for America is to increase our dependence on imported oil from Saddam Hussein, well, that is beyond my interpretation of what is right for America.

I look at Saddam Hussein as an enemy. He is attempting to shoot down our airplanes. We are enforcing a no-fly zone. We continue to do that. It is in our national interest. Why should we be importing more and more oil from him? Oil is fungible. If we spilled oil on the desk of the Presiding Officer, it would spill all over the table. If we buy the oil from Saddam Hussein today, we could buy oil from OPEC and let somebody else buy Saddam Hussein's oil. That is one way to dodge this so-called inconsistent bullet. But we don't seem to be doing it.

This Senator is going to—probably on the Jordan bill—bring up an amendment again to terminate our purchase of oil from Iraq. To me, it is absolutely inconsistent that we would depend on that source. It addresses our national security. The national security of this country should not be 56-percent dependent on imported oil.

One thing that continues to frustrate me a little bit is the assumption by many that oil simply comes out of the gas station. You go down there and insert your credit card and fill your tank, and there is very little consideration that somebody has to produce it; that it has to be refined; that it has to be transported; and America and the world move on oil.

We get complacent and somehow we are concerned about electricity. We have a lot of alternatives for electricity. We have hydro, nuclear, natural gas, and coal. But America moves by oil. We have an opportunity to relieve our dependence—not that we are going to eliminate it, but we can relieve it—by coming to America, to my State of Alaska, where we have the technology to do it safely. Again, Mr. President, I will keep this in the perspective of reality. This is a pretty small footprint—about 2,000 acres out of 19 million acres. That is the size of the State of South Carolina. That is what we can do with the technology we have. It is just beyond me that Members fail to want to discuss the merits. They fail to discuss why we should not do it. They are uncomfortable with the issue.

Again, that is not why we were sent here. We were sent here to make hard decisions and vote in the best interest of America. To me, to relieve our dependence on imported oil addresses specifically our national security interest. It is an issue that is coming before this body. It is going to be before the Energy Committee of which I am the ranking member.

I hope Senator BINGAMAN and I, in that committee, can have spirited debates on the specific merits of why it is not in the interest of the United States and our national security to relieve our dependence on these increased sources of oil from the cartels of OPEC, to try to develop sources here at home, keep the jobs at home.

Look at the balance of payments—over half of the balance of payments is the cost of imported oil. We can reduce that. So why should America's labor sources not come to grips with this and begin to lobby it, as they are successfully doing? So this issue is an issue that is timely, an issue that should be addressed fully in an extended debate based on science, not emotion. The emotional arguments have prevailed. They have prevailed very strongly because of an organized, extreme environmental group that fails to recognize that this energy crisis is not going to be solved alone by alternatives, renewables, new technology, solar, wind.

This energy crisis is going to have to be resolved by a balanced process, where we advance, if you will, funding for these new technologies, but they alone can't solve the problem. We are going to have to increase clean coal utilization. We are going to have to address what to do with nuclear waste in this country because nuclear provides us with 22 percent of the energy in this Nation. We are going to have to recognize that we are now using our natural gas reserves faster than we are finding new ones, and we are going to have to again address the realities associated with the generation of electricity from our hydro sources, many of which have not been expanded to any great extent. We are going to need a comprehensive bill, with technology, alternatives, renewables, but it has to have an increased supply. Otherwise, we will go through what we did in 1992 and we will fail. The American people will hold us accountable, as they should.

ANWR is not the total answer, by any means, but it is part of the solution to regaining our independence, reducing the vulnerability of this country, and recognizing that these are real jobs to be created right here at home. I think my friend brought me a chart relative to the ownership by the Native people of Alaska. I started with this, and I think it is appropriate that in the broad scheme of things, the interest of many of the residents is forgotten.

This is the 1002 area here. We have a pointer.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MURKOWSKI. I ask unanimous consent for another minute and a half.

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

Mr. MURKOWSKI. This is a million and a half acres of the 1002 area. We have here in white the ownership by the residents of Kaktovik. This is 92,000 acres. As you can see, you have no way out. This is all Federal land. In the selection of their Native lands when they had the original village up here, a location that has been there for many centuries, under the land claims legislation, the provision was they could not develop these lands until Congress had made a determination specifically on what to do with this area. Only Congress has the authority to open it up. These residents sit here in an enclave with private land they cannot develop. They cannot even drill for natural gas to heat their homes. That is an injustice. That would be corrected, among many other things, by this legislation that we propose in opening up ANWR.

I thank the Chair for the time allotted me and allowing me to extend my remarks.

I tell everybody that I look forward to a very spirited debate with enough time so we can get into the meat of this issue. I encourage my colleagues who say, ''I am sorry, I can't support it,'' to start giving us reasons why, other than just the rhetoric associated with it.

I yield the floor.

EMERGENCY AGRICULTURAL ASSISTANCE ACT OF 2001—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The matter before the Senate is the motion to proceed to the consideration of S. 1246.

The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand the parliamentary situation is we are now on the motion to proceed to the agricultural supplemental bill. Is that right?

The PRESIDING OFFICER. The Senate is on the motion to proceed.

Mr. HARKIN. We are on the motion to proceed to the Emergency Agricultural Assistance Act of 2001?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. The vote on the motion to invoke cloture will take place at what time, Mr. President?

The PRESIDING OFFICER. At 5:30 p.m. today there will be a vote on the motion to invoke cloture on the motion to proceed.

Mr. HARKIN. At 5:30 today, for the benefit of all Senators, there will be a vote on the motion to invoke cloture on the motion to proceed to the emergency agricultural assistance bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. I thank the Presiding Officer for clarifying that.

As chairman of the Senate Agriculture Committee, I will take this time to discuss what is in this bill and why we should proceed to the bill and not wait any longer.

We have this week to finish, and I understand then the Senate and the House will be going out for the month of August, at the end of this week. This bill really ought to be done this week. Then we have to go to conference with the House, bring the conference report back and send it on to the President. I am hopeful we will do that because most of the monies that are provided in this bill, which are allocated by the Budget Committee, really do need to get out. The fiscal 2001 funds need to

get out prior to September 30. It will take awhile to get the money out in September, although I have information that certainly the Department of Agriculture can get this money out in the month of September.

However, if we have to come back in September to complete action on this bill and then go to conference, back and forth, then there might be a problem. We do have to get this bill done this week, and that is why I am sorry some in the leadership on the Republican side decided to engage in extended debate on the motion to proceed. Otherwise, we would be on the bill right now.

In about 3 hours we will invoke cloture and then be on the bill, and hopefully we can wrap it up very soon.

The need for assistance to America's farmers and ranchers, and the communities in which they live, is very critical. Without the assistance in this bill, tens of thousands of farmers and ranchers are in danger of going out of business. This package is designed to do the best we can to address the many problems in agriculture across the Nation while staying within the limitations of the budget resolution.

I want to underscore that. This package is in full compliance with the budget resolution. There are no points of order that will lie against this bill because it is in accordance with the budget. It is fully in accordance with the budget resolution.

If we compare today's market situation for the crop sector with what it was in the mid-1990s, crop farmers are expected to receive at least $16.7 billion less in net income based on both lower farm prices and higher input costs. The help from existing Government payments only makes up about half that gap, leaving a financial shortfall of a little over $8.5 billion. That is compared to where it was in the mid-1990s.

This package we will have, we hope, before us this evening will offer direct payments and other benefits to a range of crop producers, but it still will not make up that entire gap. Even with this package, farmers, in terms of their net income, adjusting for inflation, will not be where they were in the mid-1990s.

Farmers are in dire need of assistance. The bill we have before us provides considerably more assistance than the House bill. It is a substantial package, and it is considerably larger than the House bill.

Again, I point out the needs are great and they are urgent. Crop prices are low. Production expenses have gone up sharply. Farmers are in the classic cost-price squeeze.

I do not want to cite all the provisions in the bill, but I would like to mention a few. We have included in the bill funding for the full level of market loss assistance that was provided last year. That means this bill will provide an additional payment in September at the rate of the 1999 Freedom to Farm payment for feed grains, wheat, rice, and cotton. That is what it was last year, and it will be the same this year.

I want to make it very clear: I am not a big fan of the AMTA payment mechanism which is used for the market loss assistance payments. I believe there are real inequities in that formula, and we must change it in the next farm bill.

Our staff and I looked very carefully at whether there could be an alternative payment mechanism for putting out the assistance before September 30 other than the AMTA formula. However, in view of this short timeframe for USDA to get the payments out and some other factors, the best available approach under the circumstances is to use the same market loss payment approach that has been used in recent years.

The inequities have been in this since the start of the 1996 farm bill, the so-called Freedom to Farm bill. The market loss assistance payments were based on the AMTA formula, and basically this formula went back some 20 years to look at what the base acreage was in those basic commodities of feed grains, wheat, cotton, and rice.

It was based upon the production pattern at that time and based on a percentage of the base acreage, times the established yield, times the set price that is in the Freedom to Farm bill, which equaled the payment.

Here is where the inequity arises: Let us say we were neighboring farmers. My farm was in Northern Iowa and the Presiding Officer's was in southern Minnesota, right across the boundary, the same farming. Let us say that 20 years ago I decided I was going to put all my land in corn. I was not going to get involved in crop rotations. I just planted everything fence row to fence row of corn. So my base got high.

The Presiding Officer, on the other hand, decided the best way to farm would be to involve himself in crop rotations, maybe a corn/bean-type rotation, or one involving hay and pasture. He decided it would be good to put in buffer strips or grassed headlands.

That was 20 years ago. Let us advance to right now. Let us say now, however, the Presiding Officer and I are planting the same crop mix of corn and soybeans. We both have the same acreage of corn today, but because I planted so much 20 years ago and the Presiding Officer did not, I get more money from the Government because of what I did 20 years ago. That is an inequity. Farmers who practiced good crop rotations and conservation are penalized. Those that planted continuous corn or another crop get the highest payment. It is not fair.

We also found other inequities. Some receive market loss assistance payments who are not even planting any of the grains—they did 20 years ago—but because they established their base 20 years ago they can be doing something else entirely, and they are still getting that payment. Yet another farmer who doesn't have that base history may be receiving nothing or very little.

The AMTA payment mechanism is inequitable and has been since the beginning. It ought to be changed.

In view of the short timeframe we have in getting money out before the end of September, there was no other way to do it. Hopefully, we will be able to change that in the next farm bill.

The present farm bill has one more year to run. Before we get to that mechanism next year, we should come up with a different mechanism.

There are a few other areas of importance. The bill has full funding for soybean and other oil seeds payments at last year's level; also money for cotton seed and peanut farmers; funding to help the specialty crop producers with assistance for commodity purchases and special assistance for apple producers. However, in this bill, the funds for specialty crops in terms of market loss assistance amount to $420 million. This amount, some say, is a lot. It is nearly identical to the $416 million we provided specialty crop producers in crop insurance and appropriations bills last year.

America's apple growers are experiencing the worst economic losses in more than 70 years, having lost $1.5 billion since 1996, an estimated $500 million during the past year alone. Current apple prices, which are as low as 40 percent below the cost of production, are driving many of our family farmers out of existence. The average prices received by growers for fresh market apples in March of this year were the lowest in more than 10 years, 31 percent below prices in March 1999, 29 percent below the 5-year average.

Again, apple farmers need some help. Quite frankly, what could be more healthful for our population and especially for our kids in school than an ''apple a day to keep the doctor away,'' as our mothers used to say. We have a commodity that is healthful, helps prevent illness and disease, yet the people who grow them are in serious financial trouble. I thought it was important in this bill to provide some help and support for apple farmers who are in dire straits.

We also provide in the bill nutrition-related assistance mainly through helping provide commodities for schoolchildren, families, and seniors in need.

The package includes a substantial commitment to agricultural conservation. Several of these programs are out of money. This package puts much needed funding into the conservation programs. There is funding for technical assistance that allows the Conservation Reserve Program to go forward. It has no money for fiscal 2002 presently. There is funding for the Wetlands Reserve Program, the Environmental Quality Incentives Program, the Wildlife Habitat Incentive Program, and the Farmland Protection Program. Basically, it provides four conservation programs with funds. The demand exceeds the amount of funding by a factor of 5 or 6. In other words,

there are five times more applications, applications that are approved, for the Wetlands Reserve Program than we have the money for.

Some may ask, why fund them in this bill? The answer is, if we wait to fund them until later, several of the programs will lie dormant in fiscal year 2002 for several months, at least, pending a new farm bill or other legislation. We don't know when that may be completed.

Keep in mind, the conservation provisions in the bill reported out of our committee constitute only 7 percent of the total package. I don't think that is too much to ask.

Many farmers are hurting. Of course, we have the market loss assistance payments which I described as inequitable in many cases for many farmers practicing good conservation that don't have a high base. These conservation payments do two things. They help support their income, but it also provides a benefit for everyone in cleaning up our water and our air and saving soil. In that way, it is as much as an emergency need to those farmers and to us as the market loss assistance payments. Surely we can afford 7 percent of the entire bill to care for our land and water and deal with the critical conservation and environmental challenges in agriculture.

For fiscal year 2002, CBO estimates conservation spending will be about 12 percent of USDA mandatory farm program spending. Adding $542 million, as we have in this bill, to the fiscal year 2002 spending on conservation, only raises that share to 13.5 percent. That is a very modest increase at best and still much less than is needed. Even with the money we included, of all of the USDA mandatory farm spending program, it will only be 13.5 percent next year for conservation.

In 1985, I believe about 97 percent of our funding for conservation went to farmers on working lands and 3 percent went to land taken out of production. Today, I believe it is about 85 percent that goes for land out of production and 15 percent on working lands, overall, of all the conservation funding. What we are trying to do is get that balance a little bit more oriented to helping farmers actually working the land rather than just taking it totally out of production.

I strongly believe we have a balanced package, one I hope will receive broad support in the Senate. It has been crafted to address needs across the country, from Florida to Washington State and from Maine to New Mexico and California. It has also been crafted to address the needs on both sides of the aisle.

I come back to the issue of the budget and spending. We will hear a lot of debate about this on the floor this evening and tomorrow. Hopefully we can wrap up this bill up yet this evening.

The budget resolution as adopted by the Congress provides for the Agriculture Committee to spend up to $5.5 billion in assistance to farmers in fiscal year 2001, which ends September 30th this year. That is what we have done. We have not gone over that. We have put $5.5 billion into the bill for 2001.

The Budget Committee also allows the Agriculture Committee to spend up to $7.35 billion next year, in fiscal year 2002, starting October 1st.

The Budget Committee did not say to the Agriculture Committee: You can't meet and decide how to spend it until after October 1st. We just cannot write legislation that outlays the money before October 1st.

Now, a budget point of order would lie if we wanted to take that $7.35 billion and move it to before September 30th. We didn't do that. As we all know, we said we will spend the $5.5 billion this year, but because the needs are great and the fiscal year and the crop year don't coincide, we decided to meet in the committee and determine how to spend $2 billion of next year's money next year. So the $2 billion we decided to spend will be spent after October 1 of this year, in fiscal year 2002, and it is in full accordance with what the Budget Committee allowed us to do. Again, I point out the Budget Committee did not say to the Agriculture Committee: You cannot meet and you cannot decide how to spend that money this year. They just said: You cannot obligate it until after October 1. That is what we did.

We met. We saw the need, and we said we are going to spend $2 billion of that after October 1, which is fully allowed under the budget resolution. There is no shifting from one fiscal year into another.

I heard it in the committee when we were debating this in the committee and I have heard other people on the floor refer to the fact that we have gone way over what the budget resolution allowed; the budget resolution allowed us $5.5 billion and we are up to about $7.5 billion in this bill.

I will continue to say as often as I can—it looks like I am going to have to say it a lot in the next few hours—we spend $5.5 billion in this year as the budget resolution allows. We spend $2 billion next year as the budget resolution allows. That is all we have done. We have the authority to do that. We are completely within the budget to do that.

Again, regarding the use of fiscal year 2002 funds, this package simply reflects the reality of the difference between crop years and fiscal years. Most of the cost of farm programs associated with the crops this year, the crop that is in the ground in many of our States right now, some are being harvested—in wheat country, for example, some of the smaller grains are being harvested. Up in our area, we have not started yet, but that will happen this fall—but most of the crops are in the ground. The impact of the low prices will not really be felt until next fiscal year, 2002. That is just how farm programs work.

I simply cannot see the problem in using some part of the fiscal 2002 money to help agricultural producers deal with the problems of the 2001 crop year. That is all we have done. We have done it in a way that is in accordance with the budget.

Again, contrary to some of the arguments, we are not spending up next year's money. We are saving most of it to be spent at a later time. What we are spending is being used for its intended purpose: to fund programs within the Agriculture Committee's jurisdiction. So we had $7.35 billion for the next fiscal year. We have spent in this bill before us $2 billion of that $7.35 billion. That leaves about $5.35 billion for next year that we can use, either separate and apart by itself, or we can fold it into the farm bill if, in fact, we do pass a farm bill later this year.

Let's discuss the package before the Senate today compared with what we did last year. In last year's crop insurance bill, there was a farm assistance package that included $5.5 billion for fiscal year 2000, plus an added $1.64 billion for fiscal year 2001. So the total package we passed last year was about $7.1 billion. This year's package is in that ball park. It is a little bit higher, but really very close to what we did last year.

I just ask the rhetorical question: How could it have been fiscally responsible to provide that level of assistance last year, but it is irresponsible to provide that level of assistance this year?

When it comes to America's crop producers across the country, their situation has not improved and probably has worsened during the last year. So the need is still there. The package is very similar in size to last year. If the situation is every bit as bad as last year, and we have a package of a similar size to last year, I cannot understand any objection to this.

Again, there is a similarity to last year, but there is also a difference. When we approved a package of over $7 billion last year, we had nothing left over the next year in the budget resolution; that is, we enacted a bill during fiscal year 2000 and we used both fiscal year 2000 money and fiscal year 2001 money and we left zero dollars for 2001. That is what happened last year.

This year, however, we are spending fiscal year 2001 money, a portion of 2002 money, and we will have $5.35 billion left over for next fiscal year, which we did not do last year. So, again, I repeat for emphasis sake: We now have $5.5 billion to spend before September 30 on farm assistance. We have already that much left for the remainder of fiscal year 2002. So we are, with this package, maintaining a budgetary position for fiscal 2002 very similar to the one we have for this year.

Some will say: Should we now be spending the money that could be saved for the new farm bill? First, because of the difference between crop-

years and fiscal years, spending on the new farm bill will really focus on fiscal year 2003 and later years, not fiscal year 2002. The farm bill we are under right now runs through next year. It runs through next year. So if our committee is going to be fashioning a new farm bill, really it is going to be focusing on 2003 and beyond, not for fiscal year 2002.

So, again, if those who say that $7.35 billion should be left for the farm bill, are they saying that none of it should be spent next year? They are going to put it in 2003? There are a lot of farmers going to go broke next year if that is the case, and we will be in dire straits next year.

Again, what we have tried to do is provide a smooth transition from this fiscal year to the next crop-year, and then to the next year beyond that when we will have a new farm bill. Whether the money is spent on a new farm bill or not, the objectives are the same: to meet the needs of farm and ranch families and address other priorities of farm policy. There are many farmers in this country who cannot wait for a new farm bill; they need the help right now. They are struggling to hang on. If we can get them some immediate help while saving some funds for the next farm bill, which we are doing, that seems to me to be the right thing to do.

I want to take a moment to discuss a letter from the Director of the Office of Management and Budget concerning this legislation. In that letter, Mr. Daniels says he will recommend the President not sign a bill providing more than $5.5 billion in additional assistance for crop-year 2001.

Again, I am not certain how we read this. I read this saying we have complied with that. We provide no more than $5.5 billion for crop-year 2001. Even though the letter refers to the 2001 crop-year, I can assume that the letter reflects some confusion between the fiscal year and the crop-year.

I just went through all that, the difference between the crop-year and a fiscal year. Maybe there was some confusion in that letter. As is commonly done, this bill includes assistance for the current crop-year, 2001.

Some of this money will be spent in fiscal year 2002, but it will help cover the shortfall to agricultural producers for crops grown in the 2001 crop and calendar year. Again, there is nothing unusual about providing assistance in the next fiscal year for crops that were, in fact, grown in an earlier numbered crop or calendar year—that is the way farm bills work. The fiscal year ends on September 30. That is not when the crop-year ends, not in my area. The crop-year doesn't end for a long time after that. Some crop-years end about that time or before that, in certain parts of the country. So you cannot just base everything on when the clock tolls on the end of the fiscal year in terms of farm assistance. We do that all the time, provide that carryover.

Again, having said that, I want to underscore that this bill is in full compliance with the budget resolution. No budget point of order lies against this bill. It is within the prerogative of the Senate to approve this legislation. It is within the prerogative of the Agriculture Committee to both spend up to $5.5 billion for this fiscal year, and up to $7.35 billion for the next fiscal year.

I have to question the justification for Mr. Daniels' threat that he would recommend the President not sign this, and I must also question whether or not they are confusing crop-years and fiscal years.

Is Mr. Daniels saying that Congress will not be allowed to deliver the assistance to agriculture that is clearly provided in the budget resolution? I am sorry. The White House and OMB have no jurisdiction over that.

Is Mr. Daniels saying that the promise of assistance to farm families, which is clearly contained in the budget resolution, isn't worth the paper on which it is written? From everything I am aware of, President Bush and the White House were on board with the budget resolution that was put together by Republican majorities in the Senate and the House. That was the budget resolution which provided the wherewithal of the tax-writing committee to put through the tax bill.

I recall Republican colleagues pointing favorably to the budget resolution and agricultural funding when the budget resolution went there also. We are now being told by the White House that the President may not sign it, even though it is fully within the budget resolution.

Why? Mr. Daniels simply says $5.5 billion is enough. That is that. Maybe it is enough until September 30.

But Mr. Daniels ought to go down and sit at some of the kitchen tables in the farmhouses and say, OK. Until September 30, and after that you are on your own.

There is a lot of assistance that will be needed after September 30. The crop-years don't pay attention to when the fiscal year ends.

Tell them that Congress won't be allowed to use the money in the budget resolution until after September 30.

Finally, I must point out that Mr. Daniels is wrong to suggest funding is not needed for conservation. I went through that a little bit ago. The facts are, if we don't provide this funding, several programs will lie dormant for a number of months before they can be funded again.

Again, it is not just payments to farmers for the loss of prices for their corn, wheat, cotton, rice, apples, and a lot of other commodities—peanuts, cottonseeds, and everything else we have. It is also to help farmers—maybe because of their planting history—who don't get much under the AMTA payments. Yet, they have been good stewards. These are good farm families. By providing them some help with conservation funding, we both are able to help them, and we are able to help the country as a whole by providing for cleaner water, cleaner air, and less soil runoff.

This package is substantial, but it is very close to what we had last year in terms of spending. It is very close to what we had last year in terms of specialty crops. All in all, this package is not a heck of a lot different than what we had last year. It is a little bit more. Last year it was about $7.1 billion. This year it is about $7.5 billion. Most of that additional money is going for conservation, which is sorely needed around the country.

It is a balanced package. It is balanced regionally. It addresses a lot of urgent needs. It fits within the budget resolution. I hope we can support it. I am hopeful that any amendments seeking to change it, to shift it, or to cut down on the payments will not be successful.

Again, I am sorry we had to go through this exercise of filing cloture on the motion to proceed. We should be on the bill right now. We have been held up at least 1 day because someone in the Republican leadership on the other side decided to filibuster the motion to proceed to this emergency farm package. We had to file a cloture motion. At 5:30 today we will vote on the cloture motion on the motion to proceed. Again, I am hopeful it will be overwhelmingly approved, and that maybe yet we can even reach some agreement to wrap this bill up this evening. At least that is my desire.

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

The PRESIDING OFFICER (Mr. REED). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, I understand that when we go into a quorum call the time should be divided equally between both sides. I ask unanimous consent that when we go back into a quorum call the time remaining be evenly divided between both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I want to talk today about the emergency supplemental bill that will be on the floor dealing with the farm problem we have in this country.

I just heard my colleague, Senator HARKIN, the chairman of the committee. I commend him for what he has

done. I think he made a great statement. I think he has written a good bill, and Congress ought to pass it posthaste.

It is rather strange that we find ourselves in this position. We are in the position of debating the motion to proceed to go to the actual bill on the floor of the Senate. Let me say that again. We are debating the motion to proceed. We are debating whether we should proceed to a bill to provide emergency help to family farmers.

I guess those who are stalling our being able to get to that bill are probably not facing, with respect to their personal income, the circumstances family farmers are facing. Soybeans have recently been at a 27-year low in price; cotton, a 25-year low; wheat and corn, a 14-year low; rice, an 8-year low. Prices have collapsed as if they had dropped off a cliff. They have stayed down for a number of years, only recovering slightly, at times.

So family farmers, who are out there in the country and have invested sweat and equity in their family farm trying to make a living, have discovered that their income has completely collapsed. This has required Congress to try to patch up a bad farm bill with emergency aid year after year after year.

We really need to write a better farm bill. I know Senator HARKIN, the chairman of the Agriculture Committee, is leading the effort to do that. I fully support him. In the meantime, we need to provide some emergency help. That is what this bill is designed to do. It is called an emergency supplemental to try to provide some help to family farms.

If one needs more insight into what is happening to our family farms, one can probably see it in the circumstances described to me by a Lutheran minister one day this past year. This Lutheran minister works in New England, ND, as the pastor of the local Lutheran church. We were talking about the struggle that family farmers are having in our country, and especially there, which is near my hometown of Regent in southwestern North Dakota.

She said to me: In our little town, where we have a shrinking population—this is a town of probably 800 people— we have about 4 funerals for every wedding I conduct as pastor of our church. Four funerals for every wedding—I was thinking to myself about that movie ''Four Weddings and a Funeral.'' This is just the opposite: four funerals for every wedding.

What is she saying with that data? What that means is the population in those rural areas is getting older. Young people are moving out. Family farmers are shutting down family farms because they can't make it, and those economies are just shrinking. The root of all of it is a farm program that does not work. It just isn't able to give families a feeling they can stay on the family farm and make a decent living.

We are in this Chamber today on an emergency supplemental bill to try to help family farmers. The Senate can move ahead or it does not have to move ahead. This is not like milking. If this were a dairy operation, come 5:30, if you had 80 cows that were fresh and needed to be milked, you could not sit around the house twiddling your thumbs saying: I don't think I will milk this afternoon. You would have to go to the barn and start milking those cows. If it was spring planting time, you wouldn't have the opportunity to say: I won't go spring planting this afternoon. You have to fuel up the tractor and go plant some seeds.

Farmers understand deadlines. Farmers understand that you need to get things done when it is time to get them done; this Senate ought to as well. Having to debate the motion to proceed is an outrage.

Who is stalling here? And why? We ought not have to debate the motion to proceed to an emergency supplemental bill to help family farmers. On Friday, one of my colleagues on the other side said: I am holding it up because it costs too much money. I say: You have every right to try to reduce the amount of help for family farmers. Let the bill come to the floor and then offer an amendment. If you want to cut it by $2 billion or $4 billion, offer that amendment, and then let's have a vote. If enough Senators vote with you, you will have cut the amount of help for family farmers. I am not going to support that, but why would you consider holding up the bill because you have your nose out of joint that it costs too much? If you think it costs too much, then offer an amendment to decrease it.

Let me say this. From my standpoint, I think this investment in family farms for this country is a bargain. A good deal deserves repeating: I think investing in families who are out there trying to make a living on the family farm is a bargain for this country in that I believe it strengthens this country.

Europe does not have this kind of internal debate. Europe decided long ago that it wants to maintain a network of family farms across Europe. Why? Because it has been hungry. It doesn't want to be hungry again. How does it prevent that? They work to preserve a network of family farmers living on the land in Europe.

Go to a small town in Europe some evening and ask yourself whether that town is alive. It is. Small towns in Europe are alive. They have life because of family farms, which are the blood vessels that flow into those communities, are doing well in Europe.

In this country, family farms are flat on their backs, struggling to make a living because prices have collapsed. Has anyone in this Chamber who makes an income had it reduced by 40 percent? That is what family farmers face when they discover that the price for their crop has collapsed. They put the seed in the ground in the spring. They pray that nothing is going to happen to it: no insects, no hail, no excessive rain, but enough rain. They pray that nothing bad is going to happen. Then they harvest it in the fall and they put it on a truck and take it to the elevator, only to be told that in a world that is hungry, with 500 million people going to bed every night with an ache in their belly because it hurts to be hungry, they are told: Your food doesn't have any value, Mr. Farmer. They wonder about the value contained in that statement.

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. DORGAN. I am happy to yield.

Mr. REID. I was across the hall watching the presentation of the Senator from North Dakota. I had two questions I wanted to ask him.

Did I understand the Senator correctly when I heard him say that the Senator from Idaho said he didn't like this bill because it was too much money, and the Senator from North Dakota responded, if that is the case, let us go ahead and debate the bill and offer an amendment that it is too much? Is that what you said?

Mr. DORGAN. That is what I said. This bill isn't too much money. It is within the framework of what we decided as a Congress that we were going to spend on the budget. It spends the required amount in this fiscal year, and then $2 billion in the next fiscal year. It does not violate the budget.

The point I was making was that real income for family farmers has fallen to the level of the 1930s. This is the real income achieved by farmers out there who are struggling to raise a family and run a farm. It is clearly an emergency. We have clearly brought to the floor legislation that does not violate the Budget Act. Yet even though it is an emergency supplemental, we can't get to the bill. We have to debate today a motion to proceed to the bill.

I am outraged by the fact that there is stalling on a bill that represents a clear response to an emergency in American farm country.

Mr. REID. Another question I will ask the Senator from North Dakota: Nevada is a State that has some agricultural interests. We have a few green belts, not many. Those we have are very important to the State.

Agriculture is the No. 1 industry in North Dakota; is that right?

Mr. DORGAN. In North Dakota, which is a rural State, agriculture is 40 percent of the State's economy. It is clearly the 500-pound gorilla of economic activity in States such as North Dakota. But it is not just North Dakota, it is Montana, Minnesota, Wyoming, Nebraska, South Dakota, and Iowa. There is a whole heartland in this country whose economies are supported by agriculture, by family farm producers.

Mr. REID. I have served in the House with the Senator from North Dakota and also in the Senate. It is difficult

for those of us who are not from farm States to comprehend what a family farm is. I have heard you say on a number of occasions how the family farms are disappearing.

Would this bill, if we don't pass it in a timely fashion, force other family farmers to go out of business?

Mr. DORGAN. There is no question that will be the case. There isn't any question if we don't provide a bridge, and quickly—between the current inadequate farm bill and a new farm bill that tries to provide a decent safety net and a bridge across price depressions—there isn't any question that family farmers in a number of cases around the country will not be allowed to continue. These are people who are more than just in this for a business. These are people for whom family farming is their life. It is all they know. It is what they do. It is what they want to do.

There is so much value in family farming in a country. Farmers produce much more than just wheat or corn or soybeans. They produce communities. They produce cultural value. It is a seed bed for family values that moves from family farm to small towns to big cities. It is such an enormous contribution to the country. That is why, as I mentioned, in Europe they decided long ago that the kind of economy they want is an economy that has healthy family farm agriculture—a network of producers living on the land throughout Europe producing their food. We should make a similar commitment and write a farm bill that does that.

In the meantime, this emergency supplemental is the bridge to get from here to there. I do hope beyond this afternoon we are not further delayed by anyone stalling with what clearly is an emergency piece of legislation designed to reach the extended hand out to say to family farmers that we are here to help during tough times.

Mr. REID. I say to the Senator from North Dakota, I appreciate his bringing up the family values that we have in farm States.

Our friend, Pat Moynihan, who just left the Senate, used to say that to have good scores on tests for students, high school students, you should just move them near the Canadian border, North Dakota, South Dakota, States along the border, the farm States. The kids do better than anyplace in the country with their tests; is that true?

Mr. DORGAN. That is the case. We have some of the highest tests, education tests in the country. It has a lot to do not so much with the specific teachers or the specific schools, but it has to do with the family values of family farms and small towns and rural life. That is not to denigrate any value that anyone else has. It is simply to say that the kind of family values that spring from a rural State produce good achievement in education.

There was a wonderful author who has since died, world-renowned author, actually grew up in Fargo, ND, and lived in New York and London before he died. He wrote a number of books. His name was Richard Critchfield. He wrote books that described the rolling of family values in this country's history in two centuries, the rolling family values from family farms to small towns to big cities, and the refreshment and nurturing of the value system in the country by having that happen.

I grew up in a town of 400 people—not quite 400, between 300 and 400 people. We raised livestock and other things. But I understood what those values meant when a fellow named Ernest died of a heart attack with his crop out there needing to be harvested. All the neighbors showed up and harvested the crop. It is like the old barn raising, the neighbor-to-neighbor help in which they form communities. Those values by which people form communities to help them through tough times are very important values for the country.

That is why I came to the floor to talk about this legislation. It is money to be sure, but that money represents a bridge. There are very few people in the country who have seen a total collapse of their income the way family farmers have. The income for their work and the income for the measure of their effort is down 40 percent, 50 percent from what it used to be. How many businesses or how many enterprises in this country are getting 1930s level income in real dollars? That is what is happening to family farmers. It is unfathomable to me that we are such a strong country in terms of having this aspiration to build a national missile defense along with all these technologies. We are doing all these things, yet we have 500,000 people who go to bed every night hungry as the dickens.

We have this food in such abundant quantity, yet we can't find the way to connect the two so that family farmers have a chance to make a living and people who are hungry have an opportunity for a better life. There is something that is not connecting very well in this country on this policy. That is why I want us to write a better farm bill. In the meantime, we must have this bridge to get there. The bridge is this bill, an emergency supplemental bill that provides about $5.5 billion in this fiscal year, and roughly $2 billion, slightly less, in the next fiscal year, to help family farmers over these troubled times.

Mr. REID. One last question of the Senator: We know how important agriculture is. We are the breadbasket of the world. And it is important that we do something in this emergency supplemental bill. We were asked by the Chair to withhold. Another bill was brought by the House of Representatives, the Export Administration Act, which has passed the House. All they did was continue the bill that is now in existence, which is also a disaster for the high-tech industry.

The Senator knows that the high-tech industry has a number of things they need to remain competitive. One is to make sure we pass legislation that modernizes the ability of these high-tech companies to export things that are now sold in Radio Shack that, under present law, they can't do.

I want my friend to comment on what he sees happening here in the Senate. I reflect back to last year, when we were in the minority, we passed by the August recess eight appropriations bills. We have now passed three because, as you know, they have been slow-walking the Transportation appropriations bill, and we hope we are fortunate enough to get the VA-HUD bill. We must do something on this emergency bill that we are now trying to get before the Senate on agriculture. We also need to do the Export Administration Act. I think my friend will agree that it will allow the high-tech industry to stop exporting jobs overseas and do them here so they can manufacture equipment here, sell it overseas, and not have to move their businesses overseas to manufacture equipment over there. But we are not going to be able to do that, it appears. It looks as if the House is satisfied with extending the act that is already in existence, which the industry says doesn't do us any good at all.

Will my friend comment on what is happening in the Senate with these things?

Mr. DORGAN. The Senator from Nevada, I think, knows the answer to this question. Not very much is happening in the Senate, regrettably. We have a large amount to do, yet this place has been slowed down. Last week, it was sort of a parade-in-rest all week because people didn't want the Senate to get its work done. Trying to get something done in the Senate is like trying to walk through wet cement. It is pretty hard going. It is not as if there is not a lot to do and there are not a lot of pieces of legislation that need doing now.

The emergency supplemental to help family farmers passed the House, out of the Agriculture Committee. But are we on the bill? No. Why? Because we are debating a motion to proceed. What is going on here, when we have to debate the motion to proceed to deal with an emergency bill to help family farmers?

There can't be a lot of thinking going on about this. Senator DASCHLE is trying to create an agenda that says let's get our work done and get it done soon. Everybody ought to have the opportunity for full debate. For nearly 2 days last week, this Senate sat in session with nobody coming over to offer substantive amendments, but an objection to going to third reading to pass the Transportation bill. Essentially, the Senate was shut down. We have all these things to do, and we have so much ahead of us, yet people think it is somehow to their advantage to slow this place down.

The Senate has never been accused of speeding, in the first place. This is a deliberate body, the place where we deliberate for long periods of time. There

is no excuse under any condition to force us to have to debate a motion to proceed. That is unthinkable, in my view.

In addition, when we get this done, we have to finish the Department of Transportation bill, the VA-HUD and independent agencies bill; and if we get all that done, we will still come up far short of what we need to do. It is not because Senator DASCHLE has not said here is what we need to do, it is because we have some people sitting on the back seat of this bicycle built for two and putting the brakes on. All we want is a little cooperation.

The Senator asks me what is happening here in the Senate. Regrettably, not much. This afternoon, nothing. We are debating the motion to proceed on an emergency bill. I have never seen the likes of this.

So my hope is that those who are stalling, those who are holding this up will come to the floor and say, all right, we won't hold it up anymore. Let's go have our votes and get these pieces of legislation passed. The Senate can do better than this.

Mr. President, I reserve time for others who want to speak on this bill. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. LUGAR. Mr. President, in due course we will be debating a very important bill for American agriculture. As the distinguished chairman of our committee, Senator HARKIN, has pointed out, the needs of farmers throughout our country are evident to most Senators. In fact, all Senators, I suspect, share an empathy for attempting to do what we can to help.

I want to take these moments, before we get into the substance of the debate, to describe the problem as I see it; the reason the Ag Committee and the Senate and our compatriots in the House of Representatives have taken this up.

To begin with, however, I simply want to make a comment with regard to the colloquy I heard in the Chamber a short time ago suggesting delay with regard to the agriculture situation. The comments of our distinguished colleagues really related to more than agriculture, and other bills certainly have a different track, but in the case of this supplemental bill to help American farmers, the House of Representatives passed legislation on June 26. It was not until July 25 that legislation came before our Agriculture Committee. There was almost a month intervening.

I do not charge delay. There are many things in the lives of Senators, many activities in the life of the Senate Agriculture Committee, but I simply point out that at any time from June 26 on we could have acted, even if we were to adopt, for example, the House bill, obviating a conference, and to move on to assist farmers within this fiscal year.

As the distinguished majority leader pointed out last Friday evening at the termination of debate, there is a technical problem of cutting the checks physically and getting the money to farmers by September 30, and that is one reason that the urgency of this bill is apparent to most of us. My own guess is as we approach the cloture vote on the motion to proceed at 5:30 this evening, there will be surely almost a unanimous vote, if not a unanimous vote, to proceed. I think we all understand that.

To suggest on our side we have been delaying action for agriculture would be inaccurate. Perhaps that was not even implied. Putting that aside, the fact is we have had packages of this variety now for the last 3 years.

I just want to review, for the benefit of Senators as well as for the American people, some of the assumptions behind these supplemental packages that arrive at this point in time or sometimes even earlier in the year.

Essentially, we had a very good year in American agriculture in 1996. For a variety of reasons, a lot of income that may have been delayed by events in the world and other circumstances that led to very strong export markets led to a net farm income in 1996 of $54.9 billion.

If we look at the year before in 1995, it was only $37 billion. An average of those 2 years would lead to something between $45 billion and $46 billion. Nevertheless, in 1996, often mentioned in debates because it was an extraordinary year, it was also the year we passed a farm bill. The thoughts are perhaps we were carried away by the euphoria of that situation. I doubt whether anyone was carried away, but nevertheless it was a good year.

Generally, the years came into something else. In 1997, net farm income was $48.6 billion, down well over $6 billion really from the previous year; then in 1998, $44.7 billion; and in 1999, $43.4 billion.

In those last 2 years, the $44.7 and the $43.4 billion, these figures would have been lower still except for the fact we plugged in some income, a supplemental bill just like the one we are discussing now. Those monies brought things to about a $45 billion level.

We can ask, why $45 billion? Because that seemed to be a general average. Those observing the debate should say: Are we saying this is a plus-$45 billion, American agriculture made $45 million? I am saying that. This was always a plus, never a deficit. In no year was there a net farm loss. It was always a net farm gain, and it was substantial.

As we started this particular year, as a matter of fact, even the latest estimate by the U.S. Department of Agriculture is that without action by this body the net farm income in 2001 would be $42.4 billion. That is roughly the same figure the Budget Committees of the Senate and the House had earlier in the year when they had an extended budget debate. They knew that somewhere in the $41 billion to $42 billion level net farm income would come out about that way for 2001.

They knew we had taken action in the past to bring things up somewhere in the $45 billion area, comparable to the years before. We did not quite succeed in 1999 at $43.4 billion, but we did succeed in 2000 at $45.3 billion.

They came to a figure by their deliberations in debate in the Budget Committee that $5.5 billion was about the right size to plug the gap. If this, in fact, were adopted, the $42.4 billion estimated plus the $5.5 billion should come out somewhere around $47.9 billion. That would be about $2.5 billion more than 2000. It would turn out, in effect, to be about $4.5 billion more than 1999. As a matter of fact, it would be very close to the $48.6 billion in 1997, really exceeded only by the banner year of 1996 which, if averaged with the year before that, came out somewhere in the $45 billion to $46 billion level.

Americans outside of agriculture looking into this would say: Is this done for people in the electronics industry or retail stores generally in America, or struggling manufacturing firms, or anybody? The answer is: No, there is no other business in America that takes a look at net income for the whole group of people doing it, every entity collected in these figures, and says we want to make you whole, at least whole at a level of a multiyear picture.

This is the only situation of that sort. It is not by chance. Those of us who are involved in farming, and I have been one of them—my family has been involved for generations. I think it is fair to say that in terms of the truth and being upfront about this bill and this advocacy. I know the distinguished Senator from Iowa, Mr. GRASSLEY, and his family have a farm in Iowa. When he served on the Agriculture Committee, he and I, I believe were the only two involved in these farm programs to keep the books, to make the marketing decisions, to either have to borrow money and repay it or distribute whatever profits there are to our family members. This bill is one that my farm, 604 acres in Marion County, IN, will have to live with, or benefit from, as the case may be.

I understand intimately what these figures mean. I am not an advocate for clients or just trying to do good for the farmers I have met in my States. I am one of them, a member of the Farm Bureau, a regular at whatever meeting farmers call.

I am sympathetic with the thought that if we are truly interested in family farmers, in retaining farmers in agriculture, we ought to move on this legislation. I will vote for cloture so we

can proceed. I will try to work with my distinguished friend, TOM HARKIN, chairman of our committee, to come to a constructive result in this debate. It is important. It is timely.

Having said that, it is also unique. What has occurred in the evolution of the current farm bill is a quest on the part of the Senate and the House and the President to save every family farmer, every single entity in American agriculture. That is the purpose of filling the gap, of making certain net farm income stays at a level comparable to years before.

To a great extent we have succeeded. One of the interesting aspects of the same agricultural report that has net farm income is a discussion of farm equity. By that, I mean the U.S. Department of Agriculture has pulled together the total assets of all of American agriculture and the total liabilities and has come to a conclusion in this year of 2001. As it stands, total farm equity, net worth, all the farms in America, will be $954 billion. That will be up from $941 billion in 2000. That was higher than $940 billion in 1999, or $912 billion in 1998, or $887 billion in 1997, or $848 billion clear back in the golden year of 1996. In fact, the annual increase in the equity of American agriculture has been 3.2 percent over the period of 1995 to the year 2000.

If one asked, how can that be, given the stories of failing farms, of desperate people all over our country, how is it conceivable that given a whole group of farmers, whatever they are doing, in livestock or grain or the specialty crops, so far there has been a gain in equity. This is true in large part because through our policies, through the supplemental bills, we have almost guaranteed an income for agriculture in America, and at a fairly high level.

One of the dilemmas of this is because of this prosperity—and I say that advisedly, at a 3.2-percent increase in equity over the course of time; in fact, the land prices in that same period have risen on average of 4.6 percent a year countrywide—there is not a region of the country that did not have an overall percentage change in land values that was positive between 1996 and the year 2000—every single part of our country, some a little stronger than others. I note, for example, strangely enough, in the Appalachian region, a 6.3-percent gain in land values on an annual basis throughout that period of time. In the Lake States, an 8-percent change. In the Northeast, only a 2.8-percent change in agricultural lands. But everyone gained.

The dilemma, having said that, and this is why I coupled these two figures—net farm income, roughly $45 billion on an average; net worth of American agriculture, about $954 billion, more or less—if you take those figures, you come out with a figure of roughly 4.5 to 5 percent as the return on invested capital, the invested capital being the net worth, the equity, the net income being the 45, and maybe this year 48 as it turns out.

When I have talked to farm bureau meetings, on occasion the question has arisen: LUGAR, what kind of return do you get on your farm? Why are you still involved in this? I have recited that over the 45 years I have managed our farm, 1956 to the present, we have had roughly a net gain on worth of 4 percent a year on the value of the farm. We have not always gotten 4 percent every year, but nevertheless we made money in all 45 years, and the average return has been 4 percent.

Many say that sounds a little too high to me; I have not been getting 4 percent. I said, we have been fortunate, perhaps. That is not out of line with what appears to be the case with American agriculture across the board—apparently, a return on net worth of about 4.5 to 5 percent.

Outside of agriculture meetings, people say, well, something is missing; you could have gotten 6 or 7 percent on 30-year Treasury bonds throughout this whole period of time and not taken any risk with regard to the weather, exports, or the vagaries of Congress or whatever else might have happened. That is true. In fact, for most people involved in investment, a return over a long period of time of 4 to 5 percent does not appear to be particularly attractive. That is why we are always likely to have agricultural debates with regard to money.

The difficult secret of this is the business does not pay very much. If you are an entrepreneur and you want to go into electronics or into a dot-com situation or whatever venture capital has taken a look at in recent years, the odds are you looked for a much more attractive rate of making your money grow faster.

As I mentioned earlier, I plead guilty to 45 years of staying with this because I like it. That is why people farm. They want to do it. They love the land. They love the lifestyle. They have some reverence for their dads, their grandfathers, the people involved in it. They want to save it, perpetuate that. We know that in the Senate Agriculture Committee or the House Agriculture Committee. That is why we have the debates without apology and we try to make certain that heritage might flow.

All of these debates have to have some proportion to them. I started out by pointing out a $5.5 billion supplemental will elevate income this year somewhere into the $47, $48 billion net as opposed to the $45 we were aiming at. There is no magic about 5.5. The Budget Committee must have gone backward and forward on that subject for some time. But it gets the job done.

I conclude this particular thought by saying the Agriculture Committee of the Senate came forward with a package of expenditures that exceeds $7.4 billion. The distinguished chairman of the committee, I am certain, will have more to say as to how the components were put together. Let me just say from my own experience, not from his—he will have to explain how it happened this year—but as chairman of the committee for the previous 6 years, I was responsible for at least three of these situations. Essentially, you visit with members of the committee. They make suggestions for what ought to be a part of the package.

When we started these packages we were dealing with the traditions of agricultural farm bills which dealt with so-called program crops, programs that have gone on for a long time, since the 1930s and Franklin Roosevelt. The big four in this respect were corn and wheat and cotton and rice. They were programs because, in the 1930s, my dad and others were asked to destroy crops and hogs. At least that occurred on our farm. This was supply management with a vengeance. It was not just planning for the future, it was actual destruction of crops, and rows that were in the fields, and actual livestock at that point.

The philosophy was if you let farmers plant as much as they wanted to plant, inevitably they would plant too much. They simply would use their ingenuity, their land, their resources, and we would have an oversupply and depression of prices. Prices were very low during the beginning of the New Deal period. So the thought was supply management, but a program would come along with that. In other words, you became a member of the program. You worked so many acres, whatever the quantity was that you were dealing with, in return for assurance of payments, therefore a sustenance of your income. There is no reason why this should have gone on for over 60 years, but it did. It was an attractive idea.

In 1996, with this farm bill, we changed and we fulfilled perhaps the worst fears of those in the 1930s because we said Freedom to Farm means freedom to plant whatever you want to on your land; use those resources with your own ingenuity. A lot of farmers did. They made a variety of choices. By and large, less wheat has been planted in some years, more soybeans have been planted. That seemed to meet, really, world market conditions. People have been planting soybeans in different States more than they had been before. I suppose that may be true of cotton, but by and large, less cotton, seemingly, has been produced and perhaps less rice. It is a close call because these are large farms and there are fixed costs and many people have continued on, whether it was a program or not.

When we talked about our supplemental payments, when we began to plug these gaps, we went to the program crops because they have behind them a list of farmers, names and addresses, people who are part of the picture. If you are attempting to get money to people rapidly, checks could be cut to people who were known, with a name and address and a quantity behind their name in terms of planting expectations and history.

Some have come to the fore this year, and to some extent last year—really, I think, for the first time. They said: What about us? We are not in a program crop. As a matter of fact, we plant so-called specialty crops. We have melons, we have apples on trees, we have strawberries and raspberries—and we have problems. If you think people in rice country have problems, you ought to see our problems.

In the old days—and by that I mean, say, the last 10 years—essentially many of those problems were met by the Senate Appropriations Committee. The appropriations subcommittee came along at a time of year in which the weather disasters of the winter or spring or much of the summer, sometimes, were apparent. They made an appeal to the Senate. They said there has been very bad luck in this State or this district or with this crop and therefore we ought to do something about it in an emergency, compassionate sense. Each of us have been voting for these programs for years. I cannot recall those pleas being rejected.

But the so-called specialty situations were enveloped in this. Why? Because it was very difficult to find out the crop histories of people who were involved in melons, for example, or in raspberries. Is there anywhere a 5-year idea or any idea of support payments or so forth? The answer in most cases was no. This means, if you get into melons, the USDA has to formulate a new program. It has to determine who really is eligible. That takes time.

We found that out last year. We had a supplemental. It came along as a part of legislation to strengthen and reform the Federal Crop Insurance Program. That was not totally inadvertent. Agriculture usually has sort of one shot on the floor each year and we had been working on crop insurance reform for some time. It was contentious all by itself, among various groups, as well as the total amount.

Senators, I think, have been advised—they probably understand—that the crop insurance program we strengthened as a result of last year's legislation is a generous one. It was a safety net. It will probably cost an average of $2.9 to $3 billion. That is not a supplemental, it is just there. It will go on permanently.

I would say from personal experience, I have purchased the 85-percent level of insurance coverage on the income of my corn and on my soybeans. Many people in Indiana, I have found, have not gone to the 85 percent because either they have not discovered it or they do not really understand why that is such a good deal. But I would say arithmetically this is a remarkable way of ensuring income, even without the supplemental.

Without getting into an advertisement for crop insurance, nevertheless it is there, and it is important, but not everybody in the Senate sought crop insurance as a priority item. They understood the pleas of those of us from the Midwest and the plains States. They saw some of the difficulties in the South with the program crops. But they said we are from New England—for example. Or we are from States which have never been involved in program crops. What are you going to do for us?

As a result, we had, in addition to crop insurance, the supplemental. The supplemental last year included, for the first time, a number of crops at least that I do not recall being a part of these emergency actions before. As predicted, the checks went out right on time to the so-called AMTA payment recipients—the program crop people. That is quite a number, probably a majority of farmers in our country, in terms of income and acreage. So that was not inconsequential.

We have had testimony, as the Chair knows, in our committee, the Ag Committee, from farmers who said the check got there just in time. So did the country banker testify that it got there in time. The farmer met the banker, repaid the planting loan, was in business again to try again in the year 2001. What seemed to be a potential crisis was alleviated just in time. But with the rest of the group who were not program people, the checks did not come quite so fast. USDA really had to work out the details of a good number of complex programs.

As a matter of fact, in February, March, even April of this year, those qualified were finally being identified. Weeks later, in some cases, the checks finally came that were being sent to them. In many cases, that is being cited with regard to the bill we passed in the Senate Agriculture Committee.

There is a large component, once again, either in the bill for which the distinguished chairman from Iowa and I were present, which was adopted 12–9 in the committee, or in the amendment that I offered, which had a $5.5 billion limit, which was rejected by this 12–9 vote. Both of us had a fairly large component of that in the so-called program crops. In large part, if we are talking about money being dispensed in this calendar year, this is about the only group of people likely to see a check because they can be identified as they were the year before and the year before that.

In the event people come along then and suggest there are other situations, this means they spill over. This is a part of the debate over the additional $1.9 billion to $2 billion. Some would say that is all the spillover from the year before because they were busy attempting to do these things. This year the Budget Committee of the Senate mentioned $5.5 billion. The Office of Management and Budget, through its Director, Mr. Daniels, more pointedly mentioned $5.5 billion in his correspondence with the House committee. Who took that seriously? The distinguished chairman of the committee offered a package of $6.5 billion, but the members of the committee, led, as it turned out, by the distinguished ranking member, Mr. STENHOLM, from Texas and Mr. BOEHNER, a Republican from Ohio, and others reversed that decision. They came out at $5.5 billion, and the House, as a whole, adopted that without rigorous dissent.

All of this could have been adopted by the Senate a month ago. But it was not adopted. A month has transpired in the meanwhile, and in the same way that I collected sentiments a year ago, the distinguished chairman of the committee has collected those sentiments again this year. They add up to $7.4 billion. There is no magic in that figure, and one would say no magic in the $5.5 billion. The whole exercise was attempting to plug a gap between the $42.4 billion in net farm income that was estimated this year and the $45 billion average we have achieved in recent years. The $5.5 billion will get us there. It gets up close to $48 billion, as a matter of fact. The Director of the OMB, Mr. Daniels, has written that. He pointed out, and he even offered some charts in his letter to the chairman of the committee, to me, to the chairman of the Budget Committee, to the ranking member, to Senator DASCHLE, and to Senator LOTT. To the extent we have shared that correspondence with Members, they know the argument of the administration.

We could say after all that the administration has their view and we have ours. Honest people can differ. We are all trying to do the best we can for agriculture.

I made the comment—it has been repeated in the press—about our public deliberations the other day in the Agriculture Committee. Is it really the intent of our committee of the Senate to taunt the President, and say, Mr. President, regardless of what you and your OMB Director and others may have to say about this, we want to do more than you want to do? We really feel more deeply about the farmers than you do. So, by golly, even though it is pretty clear that all of this may lead to zero at the end of the trail, we are going to have a go at it. We really do not believe you will veto it. We think when it comes to agriculture that your heart is in the right place. So is that of the American people generally. So whether the figure is $5.5 billion, $6.1 billion, or $7.1 billion, maybe, for all I know, in conference there will be a larger figure. That is the way these things go. They never have too much discipline or form to them. They just sort of add up so you can get enough people on board to get a majority, and hopefully, in fact, the big majority. Maybe that was the intent, but I doubt it. I think the intent of our committee in the Senate and the House committee is, in fact, to get money to farmers by September 30 so that they will have successful meetings with the country bankers; so that our intent that no family farm should fail will, in fact, happen and they, in fact, stay

alive and stay in business even in difficult times.

Meanwhile, both Houses think about larger farm bills which may go on for many years. The House of Representatives' committee acted on one last Friday, which was a significant bill. The House will still need to debate that. Obviously, our debate lies ahead.

These are important times not to be confused with the supplemental bill that we have at the present for emergency activity for money to be dispensed by September 30. But I take the time of the Chair and my colleagues this afternoon to recite all of this to give at least, as I see it, some background for this enterprise, why we are involved in it at all, to what extent the effects are, if you add up the figures, and what I perceive to be the dynamics of the political situation, if there is one in this.

My hope is that at the end of the debate—I hope we will have one, and, as I indicated when I started, I will certainly vote for cloture on the motion to proceed so we can proceed—the leaders will formulate a program for that process. I am hopeful that I will be recognized fairly early in the debate to offer what I believe to be a constructive amendment that I think will lead to rapid resolution and reconciliation with the House of Representatives and some hope for farmers out there that this is not going to be an interesting debate among Senators but rather a kickoff of activity in a week that some Senators characterize as the fairly slow beginning given the urgency of a number of topics that we need to discuss.

I am optimistic as always. I am sure the Chair shares that optimism and desire for constructive activity. During this rather calm hiatus before the debate really begins, technically, as the Chair knows, we are discussing really whether to proceed. I come out in favor of that. I hope my colleagues will, too. But, after we have proceeded, we need to have at least some framework I believe of how to manage this situation. I look forward to those hours ahead and a constructive result.

I do not see other Senators. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, I rise to address the Agriculture supplemental assistance bill and to answer some of the critics I have heard from the other side with respect to this legislation.

As chairman of the Senate Budget Committee, I follow the budget issues very closely and have the responsibility for determining if a budget point of order exists against any legislation. We have heard from a number of our colleagues that the legislation before us somehow busts the budget. That is just wrong. That is not true. This legislation does not bust the budget. It is entirely in keeping with the budget resolution. There is no budget point of order that exists against this bill. Those are all facts.

Mr. President, if we look at the legislation before us, it provides $5.5 billion in fiscal year 2001. That is exactly what is provided for in the budget resolution. In fiscal year 2002, this legislation provides $1.9 billion. The committee is actually authorized $7.35 billion. So there still remains $5.45 billion available to the committee, available to the Congress, next year.

Mr. President, the fact is, this legislation is entirely in keeping with the budget resolution. There is no budget point of order against it. This does not bust the budget, this is in keeping with the budget. Those are the facts. I challenge anyone who has a different view to come out here and raise a budget point of order against this legislation. If they really believe what they have been saying, come out here and raise a budget point of order against this bill because there is no budget point of order—none. This bill is entirely within the budget resolution. It is entirely within the budget, and there is no budget point of order against this bill.

Mr. President, if one has any questions about the design of this bill, I suggest they go to the resolution on the budget that was passed here in the Congress. This is the conference report. This is what came out of the conference between the House and the Senate in the final budget resolution. When you go to the part of that report that deals with the issue before us, it says—and I have highlighted it—it says:

It is assumed that the additional funds for 2001 and 2002 will address low-income concerns in the agriculture sector today.

Not in the sweet by and by—today. That is what this bill does. It deals with the collapse of farm income that is happening today. I must say, when I hear some colleagues stand on the floor and say things are getting better in agriculture, I don't know what agriculture they are talking about. Maybe they are taking about Argentina or China. They are not talking about America because if you ask the American farmer what is happening today, they will tell you what is happening is a disaster—a disaster of collapsing incomes that threatens to force tens of thousands of farm families off of the land. That is what is happening.

This idea that somehow prices are escalating dramatically and all of a sudden there are good times ahead is just plain wrong. What are they talking about? They aren't talking about agriculture in my State. Go to the grain elevator in North Dakota and see what wheat is selling for. Has it gone up a little bit? Yes, it has gone up a little bit. Is it anywhere close to the cost of production? No. I mean, it is almost farcical. Have prices gone up a little? Yes, they have. Are they still so far underwater you can't possibly make a farm operation add up? Absolutely. We all know it is true, any of us who represents agricultural America; and I must say the distinguished occupant of the chair, the Senator from Minnesota, knows exactly what I am talking about.

The Senator from Minnesota, Mr. DAYTON, has had a chance to go town to town, community to community, farm to farm, and he knows what I am saying is true because farmers all across the Dakotas, across Minnesota, tell us the same thing: These are as tough a times as they have ever faced. They tell us weekend after weekend, break period after break period: If you guys don't do something in Washington, we are all going to go bust. We are going to be broke. We are going to be forced off the land because this doesn't add up.

When you look at the cost of the things that they buy versus the prices they get when they sell, there is no way of making it add up. That is what this bill is about. This bill is to provide emergency assistance for farmers who are struggling. It does it just in line with what the budget resolution called for.

It is assumed that the additional funds for 2001 and 2002 will address low-income concerns in the agricultural sector today.

That is the wording of the budget resolution. It goes on to say:

Fiscal year 2003 monies may be made available for 2002 crop year support.

That is a very important thing to understand. Why is it that we have a circumstance in which in this bill we pass in 2001, that we not only deal with 2001 expenditures, but we also deal with 2002 expenditures? Why do we do that? Very simply because there is a difference between the fiscal year and a crop-year. Every farmer knows it. Every member of the Agriculture Committee knows it. Others may not know it. So it is easier to confuse the circumstance. But we have always, in every disaster bill since I have been a Member of this body—and I am in my fifteenth year—when we have dealt with an agricultural disaster, some of the assistance comes from one fiscal year and some comes in the next fiscal year because that is the way crop-years work. Crop-years don't just neatly fall in the same fiscal year. That isn't the way it works.

When there is a disaster, it doesn't just have an effect until September 30 of a year. That is when our Federal fiscal year ends. It affects before September 30. That is why we have some money in fiscal 2001, and some of it has an effect after September 30, as harvest is completed, and that is why we have some of the money in fiscal 2002.

Lest anybody have any misunderstanding, that is exactly what the budget resolution recognizes. It says it about as clearly as it can be said:

Fiscal year 2003 monies may be made available for 2002 crop year support.

That is exactly what we are doing with 2002 and 2001. Some of the money is in Federal fiscal year 2001; some is in Federal fiscal year 2002, just as you would anticipate. That is exactly what this legislation provides.

Mr. President, again, I want to go back to the fundamental and basic point for any of our colleagues who are listening and wondering about the critiques they have heard. Is it true that this busts the budget? Absolutely not. The budget says $5.5 billion is available to the Agriculture Committee under their allocation. And the funding that is provided in this assistance package for fiscal year 2001 is $5.5 billion—exactly what is provided for in the budget. For fiscal year 2002, the Agriculture Committee has been allocated $7.35 billion.

This legislation, quite appropriately, uses $1.9 billion of that amount. There is absolutely nothing wrong with what is being done here. It does not bust the budget. It does not add $2 billion to the overall cost of the agricultural budget that has been provided for in the next 2 years. It does not add one thin dime to what was provided for in the budget resolution. It does not add a penny to what was provided for in the budget resolution. It is exactly what the budget resolution calls for: $5.5 billion in fiscal year 2001.

This costs $5.5 billion. In 2002, the budget resolution provides $7.35 billion. Of that, $1.9 billion is used, leaving $5.45 billion next year. That is not going to be a problem.

Why is it not going to be a problem? Very simply, because of the difference between fiscal years and crop years. We are going to have a very short period of time that has to be covered in the next fiscal year because of the difference between a fiscal year and a crop year and the fact that we are writing a new Federal farm bill.

It is very clear in the budget resolution, for anybody who bothers to read it: ''Fiscal year 2003 monies may be made available for 2002 crop year support.'' By doing what we are doing, using the money allocated for 2001 as provided for in the budget resolution and using some of the money that is available in 2002 for 2002, with the anticipation we can use 2003 fiscal year money to deal with the 2002 crop year, that is exactly what is being done in this legislation. No harm, no foul. That is exactly what we have here. There is no harm. There is no foul.

This is completely in keeping with the budget resolution. There is no budget point of order against this legislation. If anybody challenges that, they have an opportunity. They can come out and raise a budget point of order and see what the Parliamentarian says. The Parliamentarian will tell them there is no budget point of order against this bill—none, zero—because it is entirely in keeping with the budget resolution.

I thank the Chair, and I yield the floor.

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

The PRESIDING OFFICER (Mr. KENNEDY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. SANTORUM. Mr. President, I rise to voice my concerns about this Agricultural supplemental appropriations bill. I believe reaching forward into next year to spend an additional $2 billion is fiscally irresponsible and, frankly, unnecessary. Even though some of that $2 billion in additional spending will benefit farmers in my State, I do not believe at a time when we are debating issues of great importance—Medicare prescription drugs, Social Security, other issues such as that, where we are going to be needing resources to solve those problems—reaching forward to next year, when we are going to be doing a farm bill next year, to allocate those resources is the wise course to take.

I do not want you to take my word for it. We have just received a Statement of Administration Policy about this legislation. I want to quote from it:

The Administration strongly opposes S. 1246 as reported by the Committee on Agriculture, Nutrition, and Forestry because spending authorized by the bill would exceed $5.5 billion, the amount provided in the budget resolution and the amount adopted by the House. If S. 1246 is presented to the President at a level higher than $5.5 billion, the President's senior advisers will recommend he veto the bill.

We are about to engage here in a motion to proceed. If this scenario plays out, with the objections that I intend to have to this bill and I know others on this side will have, we will not get around in any way, shape, or form to final passage of this bill until Friday, Saturday, sometime Sunday.

It can all go away. From my perspective, it can all go away. If we stop this overreaching and get back to the budget number of $5.5 billion and we get to the House number of $5.5 billion, we can pass a bill here and, I hope, in a relatively expeditious time. Certainly from my perspective I will not have objections to moving forward. There may be amendments offered, and I certainly want to reserve my right to object if there are amendments offered, but the idea we are going to spend all week here, probably past the time the House of Representatives will even be in session, and pass a bill that the House will not even be here to deal with—it may not even get to the President—and we get no ag assistance at this point in time is irresponsible. To overreach to the point we get nothing at a time when certainly there are some ag needs out there, that is, in my view, an irresponsible action.

I am hopeful with this word from the President, with I think a very strong conviction of many of us on this side of the aisle that this additional spending is not only unnecessary but unwise, we can get this bill done in a rapid, orderly fashion and get it done to a level that has been approved by the Budget Committee and the authorizing committee and move forward and get ag assistance out before the House of Representatives leaves and get a bill that will be signed by the President.

If we go to the $7.5 billion level, I tell you we will be here all week. We will be here past the time the House of Representatives will be in session. And it will be met with a veto by the President.

I am willing to do that. But we are not going to get any ag assistance to people anytime soon if we do that.

I am happy to yield to the Senator from Iowa.

Mr. HARKIN. I thank the Senator for yielding. I am sorry the Senator is still not a member of the Agriculture Committee. He was a very valuable member.

Mr. SANTORUM. I am sorry, too. It is the cost of leadership on our side.

Mr. HARKIN. I am sorry he is not there because he comes from a very important agricultural State.

I say to my friend from Pennsylvania, I have tried to make it clear, again, this Agriculture Committee, in accordance with the budget, spent $5.5 billion this fiscal year, before September 30. The Budget Committee allows the Agriculture Committee to spend up to $7.35 billion in fiscal year 2002, which begins on October 1. There are no instructions in the Budget Committee that say we cannot meet until after that to decide how to spend that $7.35 billion.

There is no reaching forward. There is no moving money from one fiscal year to another, I say to my friend from Pennsylvania. This committee recognized that fiscal years and crop-years do not coincide. So what the committee did, because of the press of business, what is happening this fall, since we don't know when the next farm bill is going to be done, and in accordance with the budget resolution, was to obligate $2 billion of the $7.35 billion for next year to be spent in 2002. So the money is coming out of the $7.35 billion for fiscal year 2002. It is not being forward funded. There is no moving money from one fiscal year to the other. It was just a recognition that many of the problems that farmers face this fall, in November or December or January, are the result of the crop-year that came before it and the crop-years and the fiscal years do not coincide on the same date. I just say that to my friend.

Mr. SANTORUM. Mr. President, I appreciate the comments of the Senator from Iowa.

A couple of comments:

No. 1, the President's advisers have advised the President to veto this bill

because of the obligation of this 2002 money and this additional $2 billion of obligations. We received this a few minutes ago. I will read it to you again.

The administration strongly opposes S. 1246 as reported by the Committee on Agriculture, Nutrition, and Forestry, because spending authorized by the bill would exceed $5.5 billion, the amount provided in the budget resolution and the amount adopted by the House. If S. 1246 is presented to the President at a level higher than $5.5 billion, the President's senior advisers will recommend that he veto the bill.

I understand the idea of reaching forward and obligating money. The problem I have is we are now obligating money that is going to start to be spent October 1.

I have been around here long enough to know that we will be here next year, and we will have another emergency. And the $5 billion left over isn't going to be enough and we will either try to bump that up or reach for the next year and try to draw out some money.

If I can have assurances that this isn't just a continual practice—which I know it will be, if we allow this to occur and we will just in a sense begin reaching more and more into the following year to make up for it in this crop-year. That is not what the Budget Committee suggested. They said we want $5.5 billion. If we have a farm bill coming up next year, we have authorization for $7.3 billion, let's go through the working process of doing that in the fiscal year in which we intend to do it. But to reach and grab, if you want to obligate, why not obligate the whole $7.3 billion, if there is no big deal about it. The fact is, we have a responsibility under the farm bill to change farm policy. Use that $7.3 billion to implement that change. There will be some changes, as I am sure the Senator knows, in farm policy. What we have done now is to limit our ability to make that happen. I do not think that is wise. Whether I think it is wise or not is somewhat relevant in this body, but what is more relevant is the fact that the President's advisers will recommend that he veto this bill.

If we don't get aid to the farm country right now in this fiscal year, the best course of business is to scale this bill back and put the $5.5 billion out to the farm country. We either adopt the House bill or we pass $5.5 billion here in conference. There may be some policy differences that we may want to work out. That is the best way to do it.

There would be much more cooperation from many of us on this side of the aisle who would like to see some agricultural assistance. If I could read further from the Statement of Administration Policy, it says:

The budget resolution provides $5.5 billion for 2001, an amount that the Administration strongly believes is more than adequate for this crop year. Moreover, improvements in agricultural markets and stronger livestock and crop prices means that the need for additional federal assistance continues to diminish. An additional $5.5 billion in federal assistance will boast expected real U.S. farm net-cash income to $53.6 billion in 1996 dollars, a level of income significantly above the previous two years.

Having been on the Agriculture Committee, I remember when we had this discussion. Our objective was to keep net-cash farm income at the 1996 level of $45 billion.

I ask the Senator from Iowa if he remembers that also. But the number we had always targeted was $45 billion in net-cash farm income.

Here we are with this supplemental at $53.6 billion. We are talking about 20 percent above what we thought was the projected level of income that we wanted to set as a floor. Now above that we want to throw on another $2 billion.

All I am asking is when is enough enough? I think $5.5 billion is more than generous. It is not the way I would want to spend it. That is why I hope we can maybe do some amendments to this bill. Almost 99 percent of the $5.5 billion is spent this year on AMTA payments. I understand that is an easy way to get out the money. But it isn't necessarily a regionally fair way to get out the money.

I see the Senator from Vermont. The Senator from Vermont and the Senator from Pennsylvania consider agriculture pretty important to our States. It is the No. 1 industry in my State. It is either No. 1 or No. 2 in his State. But I will guarantee that the level of AMTA payments in our State is probably a third or less of what it is in Iowa, and certainly North Dakota and a lot of other Midwestern row-crop States. Putting all of that money in AMTA doesn't help us much. It doesn't help the Senator from Vermont or the Senator from Pennsylvania. It doesn't help the Senator from Massachusetts or anybody else who has farmers who aren't in the big row crops.

I suggest that we step back and try to put together a bill that is regionally fair and that meets the budget target we set out. Then we can get a bill that I think can pass in a bipartisan fashion that will be signed by this President and really do something about the need in some areas of farm country to help stabilize that economy.

I yield the floor.

The PRESIDING OFFICER. I suggest the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, I know our time has expired.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. How much time do we have before the vote?

The PRESIDING OFFICER. Three and a half minutes.

Mr. HARKIN. I ask unanimous consent to have a couple of minutes.

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

Mr. HARKIN. Mr. President, I wish to, again, respond to my friend from Pennsylvania and to a Statement of Administration Policy that we have just received. It is not from the President. I don't really know what to make of this letter. It said they opposed the bill that we have before us because spending authorized by the bill would exceed $5.5 billion, the amount provided in the budget resolution and the amount adopted by the House. It is the amount adopted by the House, but it is not the amount provided in the budget resolution. The budget resolution provided two amounts: $5.5 billion this year and $7.35 billion next year. We stayed within the $5.5 billion for this year. Then we had $7.35 billion for next year.

The administration is saying we can't spend what the budget resolution provides. The administration has nothing to do with this. This is something that is internal to the Congress.

If we are meeting our budget obligations, why should the administration care? Evidently, the administration must be opposed to how we are spending the money. How are we spending the money? In the next fiscal year we are spending money on a lot of our specialty crops such as apples.

I mentioned in my earlier talk about how our apple farmers are being hurt. We heard that the livestock sector is rebounding. But that doesn't mean the crop sector is rebounding. Far from it. We have specialty crops in peas and lentils. I mentioned apples. We have a lot of other specialty crops that are in dire need of assistance all over this country.

This bill is much fairer region to region than the House bill. The House bill focused on a few crops but not on the entire country. That is why I do not understand the administration's objection to this. They say the bill provides funding for a number of programs that have nothing to do with farmers' 2001 incomes. It sure as heck does. Ask all the apple farmers in Washington State, in Maine, in Pennsylvania, in New York, and in Massachusetts. It has a lot to do with the 2001 income.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Pennsylvania is recognized for 1 minute 20 seconds.

Mr. SANTORUM. Mr. President, I would like to address the point of the Senator from Iowa. At least three components of this bill have nothing to do with farm income. One establishes a scientific research unit in USDA. It provides additional funding for business and industry. It provides that U.S. cities with populations not exceeding 50,000 will be eligible for guaranteed community facility costs.

That has nothing to do with emergency farm income this year. This is just another vehicle to try to do some more agricultural authorization. I am

not against doing agricultural authorization. I loved being on the Agriculture Committee. But we should do it in a farm bill and not in an emergency supplemental bill for agriculture. No. 2, the fact is, I think the Senator has received letters from the White House and previous administrations where they said: Senior advisers will recommend that the President veto the bill. Unfortunately, we get those all too often around here.

I think it is very clear that the President and his advisers do not like the way this bill was constructed and would prefer to see us live within the requirements of the budget agreement for the year 2001. I think we can do that, and we should do that. It is the only way I believe we will actually get a bill done this year.

The PRESIDING OFFICER. All time has expired.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 102, S. 1246, a bill to respond to the continuing economic crisis adversely affecting American farmers:

Tom Harkin, Harry Reid, Jon S. Corzine, Max Baucus, Patty Murray, Hillary Rodham Clinton, Jeff Bingaman, Tim Johnson, Ted Kennedy, Jay Rockefeller, Daniel K. Akaka, Paul Wellstone, Mark Dayton, Maria Cantwell, Benjamin Nelson, Blanche Lincoln, Richard Durbin, Herb Kohl.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under the rule has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1246, a bill to respond to the continuing economic crisis adversely affecting American farmers, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Utah (Mr. BENNETT) are necessarily absent.

The yeas and nays resulted—yeas 95, nays 2, as follows:

[Rollcall Vote No. 260 Leg.]

YEAS—95

Akaka	Dorgan	Lugar
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Biden	Feinstein	Murray
Bingaman	Fitzgerald	Nelson (FL)
Bond	Frist	Nelson (NE)
Boxer	Graham	Nickles
Breaux	Gramm	Reed
Brownback	Grassley	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Byrd	Hatch	Santorum
Campbell	Helms	Sarbanes
Cantwell	Hollings	Schumer
Carnahan	Hutchinson	Sessions
Carper	Hutchison	Shelby
Chafee	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Clinton	Jeffords	Snowe
Cochran	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Stevens
Corzine	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	

NAYS—2

Ensign	Gregg

NOT VOTING—3

Bennett	McCain	Torricelli

The PRESIDING OFFICER. On this vote the yeas are 95, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

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

ORDER OF PROCEDURE

Mr. DASCHLE. Madam President, I ask unanimous consent the motion to proceed to S. 1246 be adopted and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; that the Senate resume consideration of the Agriculture supplemental bill, S. 1246, at 9:30 a.m. on Tuesday, July 31, and that Senator LUGAR be recognized to offer an amendment, the text of the House-passed bill; further, that no cloture motion against the bill, or any amendments, be in order prior to Wednesday, August 1.

The PRESIDING OFFICER. Is there objection?

Mr. LUGAR. Madam President, reserving the right to object, and I will not object, I simply thank the majority leader for this motion. It sets us off on a constructive path for consideration of this bill, and it offers an opportunity for me to present an amendment, which I am prepared to do. We look forward to working with him. I do not object.

I yield the floor.

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

MORNING BUSINESS

ORDER OF BUSINESS

Mr. DASCHLE. Madam President, let me thank the distinguished ranking member and the chairman for their excellent work in getting the Senate to this point. I appreciate very much Senator LUGAR's interest in pursuing this amendment. We will have a good debate on it. We don't know how long the debate will last, but we will certainly leave it to him to make some decision in that regard tomorrow morning.

Tomorrow is Tuesday. We have 4 days within which to do a tremendous amount of work. I ask the cooperation of all of our colleagues. We need to finish this bill, and that will entail, of course, working through some very difficult questions not only with regard to the level of funding but also perhaps the dairy issue and other questions about which I know Senators are concerned. We also have to finish the Transportation bill, and of course, the Export Administration Act expires in August. The distinguished Presiding Officer addressed that point last week. We would like to do HUD–VA. There is a lot to be done.

Tomorrow night our Republican colleagues have an event and we will attempt to accommodate that event tomorrow night. I appreciate very much the minority leader's cooperation in allowing us to move to the bill as quickly as we have. That will at least accelerate the opportunity for debate and hopefully allow us to address some of these questions as quickly as possible. It will be a busy week.

I will say now, so there is no surprise if we are not finished at least with the Export Administration Act, the Transportation bill and the Agriculture supplemental bill by Friday, we will need the weekend and we will need additional days. That is an unfortunate but certainly accurate statement. I am hopeful that will not be necessary, but I want Senators who have traveling plans to take that into account because this work must be done. I thank all of my colleagues.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. I seek recognition in morning business for 10 minutes.

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

SOCIAL SECURITY

Mr. DURBIN. This weekend, the New York Times Sunday edition had a front

page story on a proposal by two Members of the House of Representatives concerning the future of Social Security. It is an interesting proposal because the two, JIM KOLBE of Arizona and CHARLIE STENHOLM of Texas, a Republican and Democrat, support the notion of privatizing Social Security, giving people an opportunity to invest some part of their Social Security payroll deduction into some sort of private account.

It is interesting that the Kolbe-Stenholm proposal for privatization is the first complete package I have seen because in that package they have to tell you how they will pay for it. If they want to take 2 percent of the payroll deduction and put it into a private investment, it will have a dramatic impact. Two percent does not sound like much, but it turns out to be a substantial portion of the amount that is dedicated to Social Security. Since Social Security is a pay-as-you-go system, if you are going to dedicate the 2 percent to private investment, you run the risk, or at least have the opportunity to take a look at a lot of other things that need to be done in order to achieve this 2-percent privatization investment.

When you look at the Kolbe and Stenholm proposal and Social Security, a number of things come out very clearly. In order to achieve this privatization, they are calling for an increase in the payroll tax for Social Security, a reduction in the benefits paid for Social Security, an acceleration of the age of 67 years for retirement under Social Security, and a variety of other changes, which means that the Social Security system as we know it will be dramatically changed.

Some critics of the Democrats have said even though you are critical of this commission on Social Security, you have to accept the reality that Social Security is not going to last forever. That is true. Left untouched, Social Security is going to run out of funds. There is no doubt about it.

The report that was given by the President's commission suggests that Social Security would run out of funds in the year 2016. That is not accurate. The right year is 2038. The obvious question is, Should we be concerned today about a system that will run out of funds 37 years from now? I think the answer is yes. The answer is obvious because there are people paying into Social Security today who will need that system 37 years from now, and we should be making changes that we can realistically make, honestly make, that will save Social Security to make certain that it has a longer life.

Each of those changes will involve some pain. There is no doubt about it. But to make those changes today in anticipation of 2038 is a lot more sensible and I think would be more reasonable in terms of its approach. It is painful, too, I might add, politically. But to couple those changes to save and prolong Social Security with this idea of privatization is what forces my colleagues in the House, Mr. KOLBE and Mr. STENHOLM, to make some drastic changes. They are, as I said, raising the payroll tax on Social Security, reducing the benefits paid, saying to people they cannot claim their Social Security benefits until they reach the age of 67—at an earlier date, I might add—and reducing the cost-of-living adjustment which is given each year under Social Security.

I think what we need to do to go at this honestly is to separate the two issues. We should say to the American people: We are going to set a goal for the life of Social Security. We want to make certain it is adequately funded and solvent for so many years to come. Right now it is to the year 2038. The question is, What do we want to prolong it to—2057, 2058? What would it be? Pick that date, and then say to both the President's commission and those who would come at it from a different perspective: Tell us what you think it would take for us to make sure that Social Security is solvent that extra 20 years. Maybe that is our goal, 20 years beyond its current solvency. Then have each side make their proposal of what it would take to reach that.

Then if some want to come in and add the option of privatization of Social Security, let them also explain how they would pay for that. Where I think the President has made a mistake is creating a commission which is not designed and created to give a longer life to Social Security but is designed instead to create an item on the political agenda of privatization of Social Security.

It comes down to this as well. There is a difference of opinion as to what Social Security is all about. Some view it much like a retirement fund or an investment plan. It certainly has characteristics of that. But more than that, it is an insurance policy. It is known as the social insurance policy for Americans. That puts it in a different perspective. We pay premiums throughout our life for basic insurance. If we live to be 65, so long as we are alive, that payment, of course, gives us the safety net we need in our retirement. Some, though, think it should be viewed as a retirement fund. There have been times when you can make more money in the stock market than the Social Security fund has made, and in that respect they are asking for the privatization of the system. I think we ought to take care.

As appealing as it may be for us to consider the possibility of privatization, you run the very real risk, if the stock market takes a downturn at the time you want to retire, that everything you have saved for is not there when you need it. So the insurance policy aspect of that would be something you would welcome at that moment. Instead, you have been caught in a bad investment.

Many American families, probably most who are listening and following this debate, have had in the last year a bad experience in the stock market. There was a terrific good-time roll in our economy for about 9 or 10 years with the creation of 22 million new jobs, new housing starts, new businesses, low inflation, a dramatic increase in the Dow Jones index, and a great increase in personal savings from people who were putting money away for retirement. Then at the beginning of last year, a correction started to take place which we are still living through. During that correction, the retirement investment of a lot of people diminished. So if they were counting on this increase in the value of their investment because of the growing stock market, then they have had a rude awakening over the last year.

What if this were all that you had? What if you had made your investment in your fund for retirement, the private investment of your Social Security funds, and the day came for your retirement and you were caught at a bad moment on the stock market, when things were low? That sort of thing worries me because this safety net is very basic. It is tough for a person to survive just on Social Security. To take even a small part of it and to put it into private investment is to run the risk that, while it may increase in value, it may decrease as well.

So I think the President's commission starts with a false assertion about the Social Security trust, its funds, and its solvency. But it also starts with the premise that you have to privatize it as part of giving a longer life to Social Security. My challenge to the commission and to those as well who do not agree with privatization, including myself, is to come up with a proposal to give a longer life to Social Security and put it on the table and say to the American people: This is what we need to do to give a longer life to Social Security. Let the President's commission do the same thing. Then, for those who want to privatize, want to take more money out of Social Security, let them then tell you what the add-on cost would be for privatization. Then let's make the political judgment.

Today we are in this swirl of misinformation, some of it coming from the commission and some of it coming from outside sources. There are some people, of course, who have never liked Social Security. They called it socialism when Franklin Roosevelt came up with this idea. But I think we would all agree—at least I hope we would—that it has been the single most successful social program in America, giving a lot of senior citizens an opportunity they would never have otherwise to retire with dignity and to have a life with their families, to live for a long time without fear they were going to be dependent on their children or the Government for some sort of dole or handout. I think this generation has to meet its obligation for the future of Social Security.

I concede changes must be made. The Democrats and Republicans should come together to make those changes. I think when we take a look at the add-on cost of privatization as Congressman KOLBE and Congressman STENHOLM say, and find out what it will cost in terms of reducing benefits and raising payroll taxes on Social Security, that it will be quickly rejected. I hope we will do this in an honest and bipartisan fashion and that we address it very quickly. It is never an easy issue to address, but it is certainly one we have an obligation to address as quickly as possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VIRGINIA HOUSE OF BURGESSES

Mr. BYRD. Madam President, on July 30, 1619, in the church at Jamestown, VA, the colonial Governor of Virginia, George Yeardley, called into session a meeting of twenty-two citizens called burgesses, from each of the eleven boroughs subdivisions, of colonial Virginia.

According to one of the participants, Mr. John Pory, ''all the Burgesses took their places . . . till a prayer was said by Mr. Burke, the minister,'' who asked God to ''guide and sanctify'' the ''proceedings to his own glory.''

The Speaker then addressed the members of the assembly on their duties as participants. ''Our intent,'' wrote Mr. Pory, was ''to establish one equal and uniforme kinde of government over all Virginia.''

Thus began, 382 years ago this very day, the first representative, legislative body in American history, the Virginia House of Burgesses.

I do find it ironic that today, when there is so much talk about separation of church and state, that the very first legislative assembly in American history took place in a church. It seems very fitting that the legislative foundations of the world's greatest power, and the world's foremost proponent of liberty and, I might add, religious freedom began in a church.

What a momentous day July 30, 1619 was, not only in American history, but also in world history. Right there in that little church in Jamestown, VA, a colony still struggling to survive, a colony that had been decimated by plagues, disease, hunger, and war, a significant step was taken in the development of representative government.

Think about it, even with all the problems of simply staying alive, these men, driven by that eternal desire to be free and to rule themselves, to be free of the control of kings, emperors, czars, and other autocrats, had the intellect and the foresight to meet in that church and begin a journey that would eventually lead to the establishment of our republic.

Independence was still more than 150 years away, but the seeds of American democratic thought had been sown. It is probably no coincidence that from the House of Burgesses would come some of the most important champions of American liberty and greatest leaders of the American Revolution, including Thomas Jefferson, George Washington, John Marshall, and Patrick Henry.

For this reason, I want to recognize this very important, if overlooked, day in our American heritage.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 11, 1990 in Seattle, WA. A 23-year-old man was near death from head injuries suffered in an attack by members of a Seattle gang known as the United Blood Nation. The attackers had been targeting gay couples during the night.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, at the close of business Friday, July 27, 2001, the Federal debt stood at $5,736,703,126,894.92, five trillion, seven hundred thirty-six billion, seven hundred three million, one hundred twenty-six thousand, eight hundred ninety-four dollars and ninety-two cents.

One year ago, July 27, 2000, the Federal debt stood at $5,673,849,000,000, five trillion, six hundred seventy-three billion, eight hundred forty-nine million.

Twenty-five years ago, July 27, 1976, the Federal debt stood at $620,139,000,000, six hundred twenty billion, one hundred thirty-nine million, which reflects a debt increase of more than $5 trillion, $5,116,564,126,894.92, five trillion, one hundred sixteen billion, five hundred sixty-four million, one hundred twenty-six thousand, eight hundred ninety-four dollars and ninety-two cents during the past 25 years.

ADDITIONAL STATEMENTS

HONORING SOUTH DAKOTA CONGRESSIONAL GOLD AWARD RECIPIENTS

• Mr. JOHNSON. Mr. President, I rise today to publicly commend an outstanding group of young people from my home State of South Dakota. These fourteen extraordinary students were recently honored with the Congressional Gold Award, a prestigious award given to a very select group of dedicated young people from throughout the Nation.

The Congressional Award program was established by Congress in 1979 to recognize the initiative, achievement, and service of extraordinary young people from across the Nation. The Award was signed into law by President Jimmy Carter, and each president since Carter has renewed the authorizing legislation.

To qualify for the Congressional Gold Award, an individual aged 14 to 23 must complete at least 800 hours of goal-oriented work in four program areas: Volunteer Public Service, Personal Development, Physical Fitness, and Expedition/Exploration. These program areas emphasize each person's capacity to grow and develop as an individual, as well as how each person can selflessly contribute to the happiness and well-being of their community.

South Dakota Congressional Gold Award recipients chose to volunteer their time and talents in many different areas, where they made tremendous contributions. One recipient volunteered at the Veterans Affairs hospital in Ft. Meade, SD. Some awardees became mentors or Girl Scout leaders, while others volunteered at childcare centers, athletic associations, local schools, parks, and even in the South Dakota State Penitentiary. One individual actually established an annual volksmarch in their hometown.

For their outstanding commitment to physical fitness, personal development, exploration, and for committing their hearts and hands to volunteering in their communities, I would like to congratulate the following young South Dakotans for receiving the Congressional Gold Award: Kary Bullock of Ashton; Eric Davies of Whitewood; Nicole Hammer, Janelle Stahl, Kayla Stahl, and Michelle Jilek of Mellette; Ryun Haugaard and Norman Haugaard II of Milbank; Carrie Larson and Jessica Larson of Mitchell; Alexsis Malsam of Aberdeen; Andrea McComsey and Tracey Smith of Conde; and Betsy Valnes of Sioux Falls.

I thank these outstanding young people for their immeasurable contributions to their communities, the State of South Dakota, and our Nation. It is because of individuals like these that I have great faith in the continued success and prosperity of our great Nation. These individuals truly serve as an example for all young Americans.•

DR. CAROLYN REED

• Mr. HOLLINGS. Mr. President, I rise today to recognize Dr. Carolyn Reed, director of the Hollings Cancer Center at the Medical University of South Carolina. The Post and Courier newspaper in Charleston, SC recently published a profile of Dr. Reed in a special Remarkable Women section. I have the great pleasure of working with Dr. Reed and can attest to the remarkable job she has done since taking the reins as director last year. She is a talented and compassionate surgeon and effective administrator who easily blends these two roles in mapping the Cancer Center's future. Her commitment to offer all South Carolinians state-of-the-art cancer care is unwavering.

I ask that the article be printed in the RECORD.

[From the Post and Courier (SC), July 25, 2001]

SURGEON IS HEAD OF CANCER CENTER

(By Dottie Ashley)

You might think a pall would hang in the air when you enter the office of Dr. Carolyn Reed. She must deal daily with deadly disease in her dual roles as thoracic surgeon and director of the Hollings Cancer Center at MUSC.

But, instead, you can't help but smile.

Occupying one shelf, alongside a volume titled ''Thoracic Oncology,'' is a large green jar with the words ''Male Sensitivity Pills'' printed on the label.

''I doubt if that endears me to my male colleagues,'' says Reed with a laugh. Wearing her white doctor's coat over a lilac blouse, she buzzes around the office, filling it with energy and optimism, even when she is viewing results from radiology that reveal a patient has lung cancer.

The surgeon, now 50, who won a thoracic surgical oncology fellowship to the venerable Memorial Sloan-Kettering Cancer Center, doesn't beat around the bush.

She's a straight-talking Maine Yankee, and, on this morning, speaking firmly into the telephone to a colleague, says, ''This is absurd; the system is making us do unnecessary procedures.''

Accustomed to changing the system and cracking glass ceilings, Reed is one of 4,000 practicing cardio-thoracic surgeons in the United States, of which only 2 percent are female.

And she is the only female thoracic surgeon practicing in South Carolina, according to state figures.

Although Reed, who is single, has cut back to a degree on the number of surgeries she performs since taking over as director of the Hollings Cancer Center last August, she is still very involved with her first love. She worries that more women don't enter the thoracic surgery arena.

''It's true more women are getting into medicine, but not really into surgery and especially thoracic surgery,'' she says, noting that when she graduated from the University of Rochester School of Medicine in 1977, only 10 percent of those in medical school residencies were women. Today, that figure is close to 50 percent. But she points out that only about 5 percent of the residents-in-training in the field of thoracic surgery are women.

''It's clearly a male-dominated field,'' she says. ''For example, I use the nurses' locker room at MUSC because there is no locker room for female surgeons. But it doesn't bother me a bit because I respect nurses and view them as colleagues, not as handmaidens.''

''The Heart is an Organ To Pump Blood to the Esophagus'' are the words mounted on a plaque in Reed's office, indicative of her fascination with the chest portion of the human body.

''I perform operations involving lung and esophageal cancer,'' says Reed, who assumed the position of professor of surgery at MUSC in 1985.

Always interested in science when attending high school in rural Maine, Reed became aware of the devastating effects of cancer when her father died of the disease when only in his 40s. At the time, she was a freshman at the University of Maine, where she graduated in 1972 as valedictorian of the class.

She then went on to the University of Rochester School of Medicine, where she received her medical degree in 1977, graduating with honors and distinction in research.

However, after working in research with her mentor who was a specialist in leukemia, she learned that she vastly preferred to work with patients than in a lab.

''I love my patients,'' she says. ''It has been said that doctors should keep a professional distance, but many of my patients have become my friends. The day that I don't cry in my car on the way home when I have lost a patient is the day I will quit.''

And in the past, she encountered some who encouraged her to quit.

When she was a resident in general surgery in 1982 at New York Hospital-Cornell Medical Center in New York City, Reed was told by the center's leading teaching surgeon: ''Women only belong in the kitchen and the bedroom.''

''Do you think I liked operating with him after hearing that?'' she asked rhetorically. ''I told him I didn't agree with him, but then I went right ahead and learned every single thing I could from him, because he was a brilliant man.

''And I think I eventually earned his respect because I ended up being the chief resident that year.''

She also faced other adversities: When she first arrived at New York Hospital, someone referred to her as ''that poor intern,'' and she learned that was because normally the thoracic surgery floor has two interns, but this time it would have only one. She was expected to work every night, often going two nights straight without sleep.

But the only time she almost gave up was when she had returned to New York Hospital for two years of cardio-thoracic surgery after working at Memorial Sloan-Kettering. ''I lived across the street from the hospital where they had apartments for the staff, and after i had worked two days without sleep, I was finally sleeping in my scrubs. At 2 a.m. the phone rang. I had to get over there. When I ran out into that empty street I was crying because I thought I just can't do it. I just can't.

''But then I did it, and I saw what you can do when you are dedicated, when you really love what you do. And to see the immediate, positive results of surgery is my favorite thing in the world,'' she says on this rainy morning as she prepares to operate once more, hoping to give one more cancer patient a chance at life.•

AARP'S CELEBRATION OF MEDICARE'S 36TH ANNIVERSARY

• Mr. JOHNSON. Mr. President, I am pleased to join AARP, including South Dakota's nearly 85,000 members, today to celebrate the 36th anniversary of the Medicare program.

I want to applaud the efforts of Don Vogt, Deb Fleming, and all the volunteers of South Dakota AARP for the work they do in South Dakota and those AARP staff and volunteers around the country that provide important assistance to their over 34 million members nationwide.

As long as we are celebrating important dates in history, I want to also recognize and celebrate the 43rd anniversary of AARP this year. Since its inception, AARP has had a vision, ''to excel as a dynamic presence in every community, shaping and enriching the experience of aging for each member and for society.'' I think we can all agree that today's celebration is an example of making this vision a reality.

Most of us here today can remember what life was like prior to the Medicare program. While some people may reflect on the good old days of housecalls and town doctors, the reality for most seniors was that there was very little access to health care coverage. In fact, when the Medicare program was implemented in 1965, nearly 30 percent of elderly Americans lived below the poverty line and could not afford medical insurance coverage. As a result of Medicare's successes over the last 36 years, the decrease in individual expenditures on health are allowed many seniors to maintain their savings longer into their retirement years, leading to a dramatic drop in the poverty level of seniors to just over 10 percent in recent years. This stark contrast to the number of seniors living in poverty prior to the Medicare program is a testament to the program's long term success. In addition, elderly Americans now maintain healthy, active lives well past the average life expectancy of Americans during the first half of the 20th century.

I do, however, feel that no entitlement program is perfect and Medicare is no exception. While I believe that Medicare does an outstanding job of providing coverage for its nearly 44 million beneficiaries, I think it is possible to improve upon this highly effective program. To use a phrase that coincides with the theme of this year's Medicare birthday celebration, I believe it is possible to have our cake and eat it too.

Prescription drugs played an extremely small role in health care when Medicare was first implemented. Today, prescription drugs play an integral part in a wide variety of therapies for illnesses and diseases that affect aging populations. But while our Medicare beneficiaries' dependence on prescription drugs grows, so has the price of acquiring those important therapies. That is why I have introduced several pieces of legislation that provide common-sense solutions to the rising cost of prescription drugs. My Prescription Drug Fairness for Seniors legislation would allow seniors to purchase their prescriptions at the same cost as is offered to senior citizens of other industrialized nations. Another version of the Prescription Drug Fairness for Seniors bill would require that seniors have access to the same prices that most favored purchasers like HMOs

have. I believe it is wrong that our Nation's seniors are forced to pay the highest prices in the world for their prescription drug needs, and both of my plans could provide immediate financial relief for the nearly 119,000 Medicare beneficiaries in South Dakota and the 39 million Medicare beneficiaries nationwide.

I have also introduced legislation that would guarantee greater access to generic pharmaceuticals, which play an integral role in keeping down the cost of pharmaceuticals. Many seniors have expressed to me that if they only had greater access to generics that they could get a better handle on their medication costs. This is another way we can immediately address the price of prescription drugs without additional bureaucratic red-tape.

There is no question, however, that a comprehensive Medicare prescription drug benefit would be a tremendous addition to the Medicare program. I have been an ardent supporter of efforts in recent years to push forward with a strong, voluntary prescription drug plan that gives seniors the option of prescription drugs through Medicare. I strongly believe that we must ensure that Medicare beneficiaries have access to needed drugs, access to their local pharmacy, and affordable premiums that make the program accessible to all. And, perhaps most importantly, any benefit must ensure rural beneficiaries, like many on Medicare in South Dakota, are assured that they have universal access wherever they live.

I was pleased to join in AARP's ''Medicare Monday'' celebration. Providing Medicare prescription drug benefits is a goal that I share with Medicare beneficiaries nationwide, and I will continue my fight for lower prescription drug costs until we reach that goal.●

MESSAGE FROM THE HOUSE

At 3:21 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2601. An act to extend the Export Administration Act until November 20, 2001.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3135. A communication from the Attorney General and the United States Trade Representative, transmitting jointly, a draft of proposed legislation entitled ''Repeal of 1916 Act''; to the Committee on Finance.

EC–3136. A communication from the Director of Headquarters and Executive Personnel Service, Department of Energy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Environmental Restoration and Waste Management, received on July 26, 2001; to the Committee on Energy and Natural Resources.

EC–3137. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans Florida: Approval of Revisions to the Florida State Implementation Plan'' (FRL7022-3) received on July 27, 2001; to the Committee on Environment and Public Works.

EC–3138. A communication from the Employee Benefits Manager of the AgFirst Farm Credit Bank, transmitting, pursuant to law, the Annual Reports of Federal Pension Plans for calendar year 2000; to the Committee on Governmental Affairs.

EC–3139. A communication from the White House Liaison of the Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position Assistant Secretary of the Office of Special Education and Rehabilitative Services, received on July 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3140. A communication from the White House Liaison of the Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Commissioner of Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, received on July 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3141. A communication from the White House Liaison of the Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Intergovernmental and Interagency Affairs, received on July 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3142. A communication from the White House Liaison of the Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of Adult and Vocational Education, received on July 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3143. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Change in Specifications for Gum or Wood Rosin Derivatives in Chewing Gum Base'' (Doc. No. 99F-2533) received on July 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3144. A communication from the Acting Administrator of the Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National School Lunch Program and School Breakfast Program: Identification of Blended Beef, Pork, Poultry or Seafood Products'' received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3145. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clomazone; Pesticide Tolerance'' (FRL6787-5) received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3146. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carfentrazone-ethyl; Pesticide Tolerances for Emergency Exemptions'' (FRL6792-2) received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3147. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carfentrazone-ethyl; Pesticide Tolerance'' (FRL6790-9) received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3148. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Azoxystrobin; Pesticide Tolerances for Emergency Exemptions'' (FRL6792-5) received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3149. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sulfentrazone; Pesticide Tolerances for Emergency Exemptions'' (FRL6793-1) received on July 27, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3150. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary, Financial Management and Comptroller, received on July 26, 2001; to the Committee on Armed Services.

EC–3151. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Research, Development, and Acquisition, received on July 26, 2001; to the Committee on Armed Services.

EC–3152. A communication from the Assistant Director for Executive and Political Personnel, Department of the Army, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of Manpower and Reserve Affairs, received on July 26, 2001; to the Committee on Armed Services.

EC–3153. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Manpower and Reserve Affairs, received on July 26, 2001; to the Committee on Armed Services.

EC–3154. A communication from the Assistant Director for Executive and Political Personnel, Department of the Army, transmitting, pursuant to law, the report of a nomination confirmed for the position of General Counsel, received on July 26, 2001; to the Committee on Armed Services.

EC–3155. A communication from the Assistant Director for Executive and Political Personnel, Department of the Air Force, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary, Financial Management and Comptroller, received on July 26, 2001; to the Committee on Armed Services.

EC–3156. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Under Secretary for Acquisition and Technology, received on July 26, 2001; to the Committee on Armed Services.

EC–3157. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Director

of Operational Test and Evaluation, received on July 26, 2001; to the Committee on Armed Services.

EC–3158. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Under Secretary for Logistics and Material Readiness, received on July 26, 2001; to the Committee on Armed Services.

EC–3159. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for International Security Affairs, received on July 26, 2001; to the Committee on Armed Services.

EC–3160. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Under Secretary for Policy, received on July 26, 2001; to the Committee on Armed Services.

EC–3161. A communication from the Assistant Director for Executive and Political Personnel, Department of the Air Force, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Manpower, Residential Affairs, Installation and Environment, received on July 26, 2001; to the Committee on Armed Services.

EC–3162. A communication from the Assistant Director for Executive and Political Personnel, Department of the Air Force, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Space, received on July 26, 2001; to the Committee on Armed Services.

EC–3163. A communication from the Assistant Director for Executive and Political Personnel, Department of the Army, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Installations and Environment, received on July 26, 2001; to the Committee on Armed Services.

EC–3164. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Director for Defense Research and Engineering, received on July 26, 2001; to the Committee on Armed Services.

EC–3165. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense for Command, Control, Communications and Intelligence, received on July 26, 2001; to the Committee on Armed Services.

EC–3166. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Secretary for Research, Development and Acquisition, received on July 26, 2001; to the Committee on Armed Services.

EC–3167. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Under Secretary for Policy, received on July 26, 2001; to the Committee on Armed Services.

EC–3168. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination confirmed for the position of General Counsel, received on July 26, 2001; to the Committee on Armed Services.

EC–3169. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination for the position for Under Secretary, received on July 26, 2001; to the Committee on Armed Services.

EC–3170. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2000; to the Committee on Armed Services.

EC–3171. A communication from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Highly Enriched Uranium Agreement Assets Control Regulations Implementing Presidents'' received on July 18, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3172. A communication from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Conversion From Stock Form Depository Institution to Federal Stock Association'' (RIN1550–AB46) received on July 19, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3173. A communication from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Liquidity'' (RIN1550–AB42) received on July 20, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3174. A communication from the Federal Register Liaison Officer Alternate, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Assessments and Fees'' (RIN1550–AB47) received on July 20, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3175. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination confirmed for the position of Administrator of the Federal Transit Administration, received on July 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3176. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Chief Financial Officer, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3177. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of the Assistant Secretary of Housing and Federal Housing Commissioner, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3178. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Community Planning and Development, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3179. A communication from the General Counsel for the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of General Counsel, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3180. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3181. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Secretary, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3182. A communication from the Assistant Administrator of the Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Improved Methods for Ballast Water Treatment and Management and Lake Champlain Canal Barrier Demonstration'' received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3183. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Limitations on Incidental Takings During Fishing Activities'' (RIN0648–AP14) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3184. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions Applicable to Fishing and Scientific Research Activities'' (RIN0648–AN64) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3185. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Sablefish Fishery Using Trawl Gear in the West Yakutat District, Gulf of Alaska'' received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3186. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions to Fishing Activities'' (RIN0648–AP34) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3187. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions to Shrimp Trawling Requirements'' (RIN0648–AO43) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3188. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone'' (RIN0648–AO22) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3189. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions to Fishing Activities''

(RIN0648–AO19) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3190. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Shrimp Trawling Requirements'' (RIN0648–AP16) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3191. A communication from the Trial Attorney for the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Reporting the Sale or Lease of Defective or Noncompliant Tires'' (RIN2127–AI23) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3192. A communication from the Trial Attorney for the National Highway Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Criminal Penalty Safe Harbor Provision'' (RIN2127–AI24) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3193. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 102, 103, and 301 Series Airplanes'' ((RIN2120–AA64)(2001–0360)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3194. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A310 Series Airplanes and Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes'' ((RIN2120–AA64)(2001–0358)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3195. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 200 and 300 Series Airplanes'' ((RIN2120–AA64)(2001–0357)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3196. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–700 and 800 Series Airplanes'' ((RIN2120–AA64)(2001–0359)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3197. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200 Series Airplanes Modified by Supplemental Type Certificate STO9022AC–D'' ((RIN2120–AA64)(2001–0356)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3198. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747SP Series Airplanes; Modified by Supplemental Type Certificate ST09097AC–D'' ((RIN2120–AA64)(2001–0355)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3199. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400 Series Airplanes Modified by Supplemental Type Certificate SA8843SW'' ((RIN2120–AA64)(2001–0354)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3200. A communication from the Program Analyst of the Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–300, 400, and 500 Series Airplanes'' ((RIN2120–AA64)(2001–0353)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3201. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes'' ((RIN2120–AA64)(2001–0352)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3202. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 10 Series Airplanes; Model MD 10 Series Airplanes and Model MD 11 Series Airplanes'' ((RIN2120–AA64)(2001–0351)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3203. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Cessna Model 560XL Airplanes'' ((RIN2120–AA64)(2001–0350)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3204. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes'' ((RIN2120–AA64)(2001–0349)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3205. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10 30 Series Airplanes Modified by Supplemental Type Certificate ST00054SE'' ((RIN2120–AA64)(2001–0348)) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BREAUX (for himself, Mr. CHAFEE, Mr. LIEBERMAN, Mr. GRAHAM, and Ms. LANDRIEU):

S. 1269. A bill to amend title XIX of the Social Security Act to revise and simplify the transitional medical assistance (TMA) program; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 1270. A bill to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the ''Wayne Lyman Morse United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. VOINOVICH (for himself, Mrs. LINCOLN, and Mr. LEAHY):

S. 1271. A bill to amend chapter 35 of title 44, United states Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business concerns, and for other purposes; to the Committee on Governmental Affairs.

ADDITIONAL COSPONSORS

S. 214

At the request of Mr. MCCAIN, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 214, a bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes.

S. 367

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 367, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 540

At the request of Mr. DEWINE, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 627

At the request of Mr. ALLARD, his name was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 680

At the request of Mr. HUTCHINSON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 680, a bill to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks.

S. 744

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 744, a bill to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law.

S. 805

At the request of Mr. WELLSTONE, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of S. 805, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 1018

At the request of Mr. LEVIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1018, a bill to provide market loss assistance for apple producers.

S. 1036

At the request of Mr. HARKIN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 1036, a bill to amend the Agricultural Trade Development and Assistance Act of 1954 to establish an international food for education and child nutrition program.

S. 1116

At the request of Mr. INOUYE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1116, a bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control.

S. 1136

At the request of Mr. SARBANES, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1136, a bill to provide for mass transportation in certain Federally owned or managed areas that are open to the general public.

S. 1153

At the request of Mr. CRAIG, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1153, a bill to amend the Food Security Act of 1985 to establish a grassland reserve program to assist owners in restoring and protecting grassland.

S. 1206

At the request of Mr. VOINOVICH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1206, a bill to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

S. 1208

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 1208, a bill to combat the trafficking, distribution, and abuse of Ecstasy (and other club drugs) in the United States.

S. 1210

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1210, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1256, a bill to provide for the reauthorization of the breast cancer research special postage stamp, and for other purposes.

S. 1267

At the request of Mr. CRAPO, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1267, a bill to extend and improve conservation programs administered by the Secretary of Agriculture.

S. CON. RES. 59

At the request of Mr. HUTCHINSON, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Con. Res. 59, a concurrent resolution expressing the sense of Congress that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers.

AMENDMENT NO. 1184

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of amendment No. 1184 intendent to be proposed to H.R. 2299, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VOINOVICH (for himself, Mrs. LINCOLN, and Mr. LEAHY):

S. 1271. A bill to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business concerns, and for other purposes; to the Committee on Governmental Affairs.

Mr. VOINOVICH. Madam President, I rise today to introduce legislation, the Small Business Paperwork Relief Act of 2001, that will help lift the burden of confusing regulation on small businesses by helping them to be better able to understand and comply with Federal paperwork mandates. I am pleased to be joined by my good friend Senator BLANCHE LINCOLN in putting forth this ''good government'' bill which continues congressional efforts to streamline and reduce paperwork burdens on small businesses.

Ask any small business owner and he or she will tell you that Federal paperwork requirements on small businesses are impeding America's entrepreneurial growth. Indeed, the Office of Management and Budget (OMB) has estimated that the Federal paperwork burden is 7.2 billion hours annually, at a cost of $190 billion a year. The Small Business Administration, SBA, estimates that the cost to small businesses are staggering $5,100 per employee.

While many paperwork requirements are important and necessary, the high costs of understanding them and complying with them can sometimes prevent small businesses from being able to expand, remain in business, or deter them from opening in the first place.

Helping ease the burdens of regulation on small business has long been an interest of mine. As governor of Ohio, I pushed for passage of the Unfunded Mandates Reform Act on behalf of our state governments and was an original cosponsor of the Regulatory Improvement Act in the 106th Congress. Last year, I worked to help pass the Congressional Accountability for Regulatory Information Act and the Regulatory Right to Know Act. Senator LINCOLN and I introduced s. 1378, a bill similar to the one we introduce today, in the last Congress as well.

Many Federal regulations of business are important, since they help protect our environment, workers' safety and the health of our families. However, some of these regulations are unnecessarily difficult for our businesses, particularly small businesses without large legal staffs, to understand. Our bill will help business owners understand and comply with federal regulations.

The Small Business Paperwork Relief Act of 2001 would require each agency to establish a single point of contact to help answer questions and aid small business owners in complying with paperwork requirements. In addition, our bill requires the Office of Management and Budget, OMB, to publish annually in the Federal Register and on the Internet a list of each agency's Federal paperwork requirements applicable to their small businesses. Our bill also requires each agency to make further efforts to reduce paperwork requirements for small businesses with fewer

than 25 employees. Further, the Small Business Paperwork Relief Act of 2001 establishes an interagency task force to study the streamlining of paperwork requirements for small businesses. Our legislation asks this task force to consider having each agency consolidate its reporting requirements for small businesses, resulting in reporting to the agency's single point of contact, in a single format or using a single electronic reporting system, and on one date.

Our bill also will help make government more accountable and aid congressional oversight of Federal agencies by requiring that each agency maintain information on the number of enforcement actions in which civil penalties were assessed; the number of such actions against small businesses; the number of such actions in which civil penalties were reduced or waived; and the monetary amount of these reductions or waivers.

I believe any resulting burden on Federal agencies would be minimal, and would certainly be offset by the benefits to small businesses.

Small businesses are vital to the health of our Nation's economy. They represent more than 90 percent of our Nation's employers, employ 53 percent of the private workforce and create about 75 percent of this country's new jobs. In my own State of Ohio, there are more than 300,000 full-time businesses. Of these, 96 percent employ fewer than 100 people, and 75 percent employ fewer than 10 individuals. The National Federation of Independent Business estimates that the majority of new jobs in the next decade in Ohio will be created by small businesses. Given the prevalence of small businesses in our Nation, I believe we should do all within our ability to ensure that small business owners are not unfairly burdened, or simply overwhelmed, by federal paperwork requirements.

Earlier this year, the House passed the companion bill, H.R. 327, unanimously, by a vote of 418–0, on March 15. I hope we can do the same in this body.

This bill has been endorsed by the following groups: American Farm Bureau Federation, National Federation of Independent Business, The U.S. Chamber of Commerce, National Association of Convention Stores, American Feed Industry Association, National Association of Manufacturers, National Tooling & Machining Association, National Pest Management Association, Academy of General Dentistry, and American Road & Transportation Builders Association.

I encourage my colleagues to join Senator LINCOLN and me in our efforts to help lessen the burden on small businesses, while helping them to be able to comply with federal requirements, by cosponsoring and supporting the Small Business Paperwork Relief Act of 2001.

I ask consent that the text of the bill be printed in the RECORD.

S. 1271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Paperwork Relief Act of 2001''.

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIREMENTS.

(a) REQUIREMENTS APPLICABLE TO THE DIRECTOR OF OMB.—Section 3504(c) of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act''), is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(6) publish in the Federal Register on an annual basis a list of the collections of information applicable to small-business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), organized by North American Industrial Classification System code and industrial/sector description (as published by the Office of Management and Budget), with the first such publication occurring not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001; and

''(7) make available on the Internet, not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, the list of requirements described in paragraph (6).''.

(b) ESTABLISHMENT OF AGENCY POINT OF CONTACT.—Section 3506 of title 44, United States Code, is amended by adding at the end the following:

''(i) In addition to the requirements described in subsection (c), each agency shall, with respect to the collection of information and the control of paperwork, establish 1 point of contact in the agency to act as a liaison between the agency and small-business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).''.

(c) ADDITIONAL REDUCTION OF PAPERWORK FOR CERTAIN SMALL BUSINESSES.—Section 3506(c) of title 44, United States Code, is amended—

(1) in paragraph (2)(B), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3)(J), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(4) in addition to the requirements of this chapter regarding the reduction of paperwork for small-business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), make efforts to further reduce the paperwork burden for small-business concerns with fewer than 25 employees.''.

SEC. 3. ESTABLISHMENT OF TASK FORCE TO STUDY STREAMLINING OF PAPERWORK REQUIREMENTS FOR SMALL-BUSINESS CONCERNS.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended—

(1) by redesignating section 3520 as section 3521; and

(2) by inserting after section 3519 the following:

''§ 3520. Establishment of task force on feasibility of streamlining information collection requirements

''(a) There is established a task force to study the feasibility of streamlining requirements with respect to small-business concerns regarding collection of information (in this section referred to as the 'task force').

''(b) The members of the task force shall be appointed by the Director, and include—

''(1) not less than 2 representatives of the Department of Labor, including 1 representative of the Bureau of Labor Statistics and 1 representative of the Occupational Safety and Health Administration;

''(2) not less than 1 representative of the Environmental Protection Agency;

''(3) not less than 1 representative of the Department of Transportation;

''(4) not less than 1 representative of the Office of Advocacy of the Small Business Administration;

''(5) not less than 1 representative of each of two agencies other than the Department of Labor, the Environmental Protection Agency, the Department of Transportation, and the Small Business Administration; and

''(6) not less than 2 representatives of the Department of Health and Human Services, including one representative of the Health Care Financing Administration.

''(c) The task force shall—

''(1) recommend a system to clarify which small businesses within particular North American Industrial Classification System codes are subject to which information compliance requirements; and

''(2) examine the feasibility of requiring each agency to consolidate requirements regarding collections of information with respect to small-business concerns, in order that each small business concern may submit all information required by the agency—

''(A) to 1 point of contact in the agency;

''(B) in a single format, such as a single electronic reporting system, with respect to the agency; and

''(C) on the same date.

''(d) Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, the task force shall submit a report of its findings under subsection (c) to the chairpersons and ranking minority members of the Committee on Governmental Affairs and the Committee on Small Business of the Senate, and the Committee on Government Reform and the Committee on Small Business of the House of Representatives.

''(e) In this section, the term 'small business concern' has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the item relating to section 3520 and inserting the following:

''3520. Establishment of task force on feasibility of streamlining information collection requirements.

''3521. Authorization of appropriations.''.

SEC. 4. REGULATORY ENFORCEMENT REFORMS.

Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by striking subsection (c) and inserting:

''(c) REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, and not later than every 2 years thereafter, each agency shall submit a report to the Committee on Governmental Affairs and the Committee on Small Business of the Senate, and the Committee on the Judiciary and the Committee on Small Business of the House of Representatives, that includes information with respect to the applicable 1-year period or 2-year period covered by the report on each of the following:

''(A) The number of enforcement actions in which a civil penalty is assessed or proposed to be assessed.

''(B) The number of enforcement actions in which a civil penalty is assessed or proposed to be assessed against a small entity.

''(C) The number of enforcement actions described under subparagraphs (A) and (B) in which the civil penalty is reduced or waived.

''(D) The total monetary amount of the reductions or waivers referred to under subparagraph (C).

''(2) DEFINITIONS IN REPORTS.—Each report under paragraph (1) shall include definitions of the terms 'enforcement actions', 'reduction or waiver', and 'small entity' as used in the report.''.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 1270. A bill to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene. Oregon, as the ''Wayne Lyman Morse United States Courthouse''; to the Committee on Environment and Public Works.

Mr. WYDEN. Madam President, I rise today to introduce legislation to name the Federal courthouse being built in downtown Eugene, OR after one of Oregon's greatest heroes, my friend and mentor, Senator Wayne Morse. Naming the Eugene courthouse in the city that Wayne Morse loved and called home would be an appropriate way to honor the independence and integrity of our former Senate colleague.

I find it especially fitting to be here today to honor one of the Senate's great independents. Without going into too much detail of the last few months of the Senate's history, the act of moving one's seat on the Senate floor is not a new concept, and Wayne Morse may have done it most famously.

In January 1953, Senator Morse walked into this very Chamber carrying a folding chair that he would place in the center of the aisle, thereby removing himself from either major party as an Independent. Again in 1956, he moved his chair to become a Democrat. He was subsequently overwhelmingly re-elected by the voters of Oregon. The independence displayed by Senator Morse throughout his 24-year service in the Senate was always rewarded by Oregonians who showed their continuing faith in his ability to truly represent their interests, no matter their party label.

It would benefit us all to follow the principles Wayne Morse lived by in politics today. Senator Morse would have had little sympathy for the world of the sound byte. Wayne Morse did not just talk; he worked on the issues that our citizens care about most: education; resources; health care; and justice for all. To paraphrase an old saying, he was ''unbought and unbossed.'' He, instead, set the bar for integrity and truly embodied the Oregon spirit. I can't imagine a better tribute to Senator Morse's independence and integrity than to name a United States courthouse to honor his legacy.

Senator Morse never forgot where he came from. He could never wait to return to his house in Eugene, at 595 Crest Drive, an address I remember well because I worked as a campaign aide for two of his Senate Campaigns. It was during this time that he got me interested in working with the elderly and started me in public service, which ultimately led me here to the Senate floor. I was given the high honor of being elected to serve in the Senate seat he had held more than 30 years after he was last reelected by the people of Oregon.

Known as the ''Tiger of the Senate'' for his eloquently outspoken and vigorously independent views, Senator Morse worked diligently on the behalf of the American family. He pushed the Senate to improve education and create a better future for American children by passing the New Frontier and Great Society bills, supporting federal aid to public schools and universities, and implementing scholarship programs for low-income students.

It is, therefore, only right that the Federal courthouse that we will build in Eugene, OR be named after Senator Morse. This courthouse will represent his respect for the law, his love for that city, and the future he envisaged for the people of his home State. Naming this courthouse after Senator Wayne Morse will promote and honor the legacy of Oregon's illustrious, maverick leader.

I am especially pleased to be joined by my colleague from Oregon, Senator SMITH, in introducing this bipartisan legislation to designate the new Eugene Federal courthouse as the Wayne Lyman Morse Federal Courthouse. I urge all my colleagues to support this legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1189. Mr. KERRY (for himself, Mr. KENNEDY, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1189. Mr. KERRY (for himself, Mr. KENNEDY, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table as follows:

On page 45, line 25, insert the following:

SEC. 604. EMERGENCY DISASTER ASSISTANCE FOR ATLANTIC NORTHEAST MULTISPECIES FISHERMEN.

(a) ASSISTANCE.—The Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make payments to Atlantic Northeast multispecies fishermen adversely affected by commercial fishery failures in the Atlantic Northeast multispecies fishery.

(b) OBJECTIVES.—The payments shall be made in support of a voluntary fishing capacity reduction program in the Atlantic Northeast multispecies fishery that is designed to achieve, by means of permanent revocation of multispecies, limited access fishing permits, the following objectives:

(1) To obtain the maximum sustained reduction in fishing capacity at the least cost and in the minimum period of time.

(2) To prevent the replacement of fishing capacity removed under the program.

(c) DETERMINATIONS OF COMMERCIAL FISHERY FAILURES.—The commercial fishery failures referred to in subsection (a) are those that are determined under section 308(b)(1) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(b)(1)) for the purposes of that section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Monday, July 30, 2001, at 9:30 a.m. for a hearing regarding ''Ecstasy Use Rises: What More Needs to be Done by the Government to Combat the Problem?''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Monday, July 30, 2001, at 1 p.m. in Hart 216, to consider Robert S. Mueller III, to be Director of the Federal Bureau of Investigation.

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

CALLING FOR UNCONDITIONAL RELEASE OF LI SHAOMIN AND ALL OTHER AMERICAN SCHOLARS OF CHINESE ANCESTRY

On July 24, 2001, the Senate amended and passed S. Res. 128, as follows:

S. RES. 128

Whereas in recent months the Government of the People's Republic of China has arrested and detained several scholars and intellectuals of Chinese ancestry with ties to the United States, including at least 2 United States citizens and 4 permanent residents of the United States;

Whereas according to the Department of State's 2000 Country Reports on Human Rights Practices in China, and international human rights organizations, the Government of the People's Republic of China ''has continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms'';

Whereas the harassment, arbitrary arrest, detention, and filing of criminal charges against scholars and intellectuals has created a chilling effect on freedom of expression in the People's Republic of China, in contravention of internationally accepted norms, including the International Covenant on Civil and Political Rights, which the People's Republic of China signed in October 1998;

Whereas the Government of the People's Republic of China frequently uses torture and other human rights violations to produce coerced ''confessions'' from detainees;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China has extensively documented that human rights abuses in the People's Republic of China ''included instances of extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado detention, and denial of due process'', and also found that ''[p]olice and prosecutorial officials often ignore the due process provisions of the law and of the Constitution . . . [f]or example, police and prosecutors can subject prisoners to

severe psychological pressure to confess, and coerced confessions frequently are introduced as evidence'';

Whereas the Government of the People's Republic of China has reported that some of the scholar detainees have ''confessed'' to their ''crimes'' of ''spying'', but it has yet to produce any evidence of spying, and has refused to permit the detainees to confer with their families or lawyers;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China also found that ''police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret'';

Whereas Dr. Li Shaomin is a United States citizen and scholar who has been detained by the Government of the People's Republic of China for more than 100 days, was formally charged with spying for Taiwan on May 15, 2001, was tried and convicted on July 14, 2001, and is expected to be deported;

Whereas Dr. Li Shaomin has been deprived of his basic human rights by arbitrary arrest and detention, has not been allowed to contact his wife and child (both United States citizens), and was prevented from seeing his lawyer for an unacceptably long period of time;

Whereas Dr. Gao Zhan is a permanent resident of the United States and scholar who has been detained by the Government of the People's Republic of China for more than 114 days, and was formally charged with ''accepting money from a foreign intelligence agency'' on April 4, 2001;

Whereas Dr. Gao Zhan has been deprived of her basic human rights by arbitrary arrest and detention, has not been allowed to contact her husband and child (both United States citizens) or Department of State consular personnel in China, and was prevented from seeing her lawyer for an unacceptably long period of time;

Whereas Wu Jianmin is a United States citizen and author who has been detained by the Government of the People's Republic of China, has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Qin Guangguang is a permanent resident of the United States and researcher who has been detained by the Government of the People's Republic of China on suspicions of ''leaking state secrets'', has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Teng Chunyan is a permanent resident of the United States, Falun Gong practitioner, and researcher who has been sentenced to three years in prison for spying by the Government of the People's Republic of China, apparently for conducting research which documented violations of the human rights of Falun Gong adherents in China, has been deprived of her basic human rights by being placed on trial in secret, and her appeal to the Beijing Higher People's Court was denied on May 11, 2001;

Whereas Liu Yaping is a permanent resident of the United States and a businessman who was arrested and detained in Inner Mongolia in March 2001 by the Government of the People's Republic of China, has been deprived of his basic human rights by being denied any access to family members and by being denied regular access to lawyers, is reported to be suffering from severe health problems, was accused of tax evasion and other economic crimes, and has been denied his request for medical parole; and

Whereas the arbitrary imprisonment of United States citizens and residents by the Government of the People's Republic of China, and the continuing violations of their fundamental human rights, demands an immediate and forceful response by Congress and the President of the United States: Now, therefore, be it

Resolved, That

(1) the Senate—

(A) condemns and deplores the continued detention of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, Teng Chunyan, and other scholars detained by the Government of the People's Republic of China, and calls for their immediate and unconditional release;

(B) condemns and deplores the lack of due process afforded to these detainees, and the probable coercion of confessions from some of them;

(C) condemns and deplores the ongoing and systematic pattern of human rights violations by the Government of the People's Republic of China, of which the unjust detentions of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan, are only important examples;

(D) strongly urges the Government of the People's Republic of China to consider carefully the implications to the broader United States-Chinese relationship of detaining and coercing confessions from United States citizens and permanent residents on unsubstantiated spying charges or suspicions;

(E) urges the Government of the People's Republic of China to consider releasing Liu Yaping on medical parole, as provided for under Chinese law; and

(F) believes that human rights violations inflicted on United States citizens and residents by the Government of the People's Republic of China will reduce opportunities for United States-Chinese cooperation on a wide range of issues; and

(2) it is the sense of the Senate that the President—

(A) should make the immediate release of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan a top priority of United States foreign policy with the Government of the People's Republic of China;

(B) should continue to make every effort to assist Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan, and their families, while discussions of their release are ongoing;

(C) should make it clear to the Government of the People's Republic of China that the detention of United States citizens and residents, and the infliction of human rights violations upon United States citizens and residents, is not in the interests of the Government of the People's Republic of China because it will reduce opportunities for United States-Chinese cooperation on other matters; and

(D) should immediately send a special, high ranking representative to the Government of the People's Republic of China to reiterate the deep concern of the United States regarding the continued imprisonment of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, Teng Chunyan, and Liu Yaping, and to discuss their legal status and immediate humanitarian needs.

AUTHORITY FOR COMMITTEES TO FILE

Mr. REID. Madam President, I ask unanimous consent that Senate committees may file committee-reported Legislative and Executive Calendar matters on Tuesday, August 28, from 10 a.m. to 2 p.m., notwithstanding a recess or adjournment of the Senate.

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

ORDERS FOR TUESDAY, JULY 31, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Tuesday, July 31. I further ask unanimous consent that on Tuesday immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the Agriculture supplemental authorization bill; further, that the Senate recess from 12:30 to 2:15 p.m. for the weekly party conferences.

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

PROGRAM

Mr. REID. Madam President, the Senate is going to convene in the morning at 9:30 and resume consideration of the Agriculture supplemental authorization bill. Senator LUGAR is to be recognized to file the first amendment. He and Senator HARKIN have been asked to work out with the two leaders a time to vote on that.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Tuesday, July 31, 2001, at 9:30 a.m.