

came up with some amendments, but most of ours are, as well, nonrelevant amendments, meaning we wanted to match the Republicans. We are able to go forward with a handful of amendments, by that I mean five or six amendments, but that is all we need.

To show how unrealistic their list is, one only needs to look at the list. Every Senator has a right to propose amendments. Historically, however, with the farm bill, the average number of nonrelevant amendments per bill? One, in recent years. My research indicates something a little different than I mentioned yesterday. In the last three bills, no amendments, nonrelevant; two amendments; one amendment. So an average of one nonrelevant amendment per bill.

Here we have amendments they want to offer on this bill dealing with immigration, again, even though we debated for weeks on immigration. This bill is not an immigration bill. And, of course, the old faithful death tax. People come and say, well, farmers have problems, they are losing their family farms. In California, Senator FEINSTEIN heard about that, and so she asked the farm bureau to give her a list of those who had lost their farms because of the estate tax. None. Zero. This is an urban myth or maybe even a rural myth. But, of course, a number of Senators wanted to try that again—Republican Senators.

The issue of the day is the driver's license. A significant number of Senators want to offer amendments dealing with driver's licenses. And fishing loans, the Rio Grande River—I don't know what that is about—the Gulf of Mexico, the death tax, and the AMT. We are going to do AMT before we leave here. We don't need to do it on the farm bill. Fire sprinkler systems, National Finance Center, the *Exxon Valdez* litigation, land transfer, AMT tax. I can't give you the exact number, but there are at least six or seven amendments on the AMT tax. Is AMT important? Of course, it is. We are going to do AMT before this year ends. Everyone knows that.

In short, the Republicans aren't serious about doing the farm bill. This farm bill is headed down for one reason: the Republicans. They obviously don't want a farm bill. If we went along with this list, it would make it impossible to conduct a fair and reasonable debate—impossible.

So what I am going to do this afternoon is file cloture on the Dorgan-Grassley amendment, a bipartisan amendment, the one that is pending, and then on the bill. That will make a determination. All these organizations that say this farm bill is important—and I have had many of them write letters and contact me and say this is so important, we need to do this, the last farm bill is not as good as this one, it is a great farm bill—we will find out if the Republicans are going to kill this bill. It appears they are going to. They are not serious about passing a farm

bill this year. If they come up with a list of amendments we can deal with, I am happy to do that. But I am not going to do this. It is not good for the Senate and it is not good for the country.

I repeat: The average number of nonrelevant amendments on farm bills: One per bill. We have here enough nonrelevant amendments to fill a little notebook. So that is where we are. It is unfortunate. The committee has worked very hard. They passed the bill out of the committee by voice vote. All Senators obviously agreed this was a good bill. SAXBY CHAMBLISS, the ranking member, and TOM HARKIN, the chairman of the committee, think it is a good bill—Democrat and Republican.

We are in the situation where Republicans are saying: Well, I want to offer my amendment on fire systems, the *Exxon Valdez* litigation, the AMT, and, of course, the old faithful, immigration. So that is where we are. It is unfortunate that is where we are, but this bill is headed down.

I indicated what I am going to do. Unless the Republicans come up with something more realistic, this bill is going to have cloture filed on Dorgan-Grassley, cloture on the bill, and that is where we will be on the bill this afternoon sometime.

---

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

---

#### THE FARM BILL

Mr. MCCONNELL. Mr. President, the comments I am about to make could well have been made by my friend on the other side of the aisle as recently as last year, when his party was in the minority.

Of course, we all know we will indeed pass the farm bill. The only issue is: When and how. We actually made good progress yesterday on both sides, defining the realm of possible amendments that might be filed to the bill. The amendments list on our side is actually about 120, and the Democratic list is 140—approximately 265 amendments on the list.

Before my good friend on the other side protests too much about this number, let me remind Senators that 246 amendments were filed to the 2002 farm bill, 339 amendments were filed to the 1996 farm bill, averaging about 300 amendments per bill. In fact, when Republicans were attempting to move the 1996 farm bill through the Senate, the current committee chairman, Senator HARKIN himself, filed 35 amendments. So if all 100 Senators emulated the Senator from Iowa, 3,500 amendments would be the normal for farm bill consideration.

Thus, the current list of 265 amendments is not insurmountable, and, actually, not at all unusual at the begin-

ning of the process of passing a farm bill. This is a complex bill that only gets reauthorized every 5 years. This time it is 1,600 pages long and includes the first farm bill tax title since 1933, adding an extra degree of difficulty.

However, Republicans are ready and willing to begin working in earnest to address these amendments. What always happens is that most of the amendments go away and we gradually work down the list. But this is a massive bill. The notion—if I can lift it here—that we are going to basically call up a bill of this magnitude, file cloture, and basically have no amendments strikes me as, shall I say, odd at least. What we always do is try to work out an orderly way to go forward. The issue of getting a fixed amendment list, which we were prepared to enter into last night, is the way it usually begins.

I am a little perplexed as to whether the majority actually wants this bill to pass and is trying to simply blame the minority for trying to bring it down. We all know, and I am sure anybody who has followed the Senate at all knows, we are going to pass a farm bill, no question about that. The farm bill is not going to be killed. The issue is whether we are going to have any kind of reasonable process for going forward, and I think getting an amendment list is the first step. I was hoping we could do that, but, apparently, that is not the case, and I regret that we are where we are.

But let me reassure everyone, I don't think there is anybody in the country who knows we aren't going to pass a farm bill, and nobody is going to kill the farm bill. But we are going to insist on a reasonable procedure for going forward.

I yield the floor.

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

Mr. REID. Mr. President, there is no ability to pass a farm bill under the present situation. If people think the farm bill is going to be just passed because the distinguished Republican leader says one is going to pass, they are mistaken. We have a lot to do. We have 3 weeks after we come back after Thanksgiving and that is it for this year. Next year is going to be a very difficult year.

We have to figure out some way, next year, to work our way through the Presidential election and all the other elections that are taking place around the country. There is no guarantee—and that is an understatement—we will have a farm bill.

The one question no one answers is, What do we do with nonrelevant amendments? The history is one per bill. Here we have immigration, AMT six different times, we have fire safety, *Exxon Valdez* litigation, and on and on with nonrelevant amendments.

This is not the beginning of the process. The process started 10 days ago, and we have been stalled for 10 days—

10 days with nothing being done. We can talk about maybe the Democrats don't want it done. We have been here willing and able to work through these amendments, but Republicans have been unwilling to work with us in any meaningful way.

I would also say, a reasonable process? I am willing to work through a reasonable process, but we cannot put the Senate through having multiple votes on immigration issues or on non-related tax issues. We need to work on a farm bill. I repeat, if the Republicans want to come up with some type of a reasonable way to go forward, fine. Otherwise, they can vote to kill this bill, and they will vote to do it.

We will vote on the bipartisan Dorgan-Grassley amendment on cloture, which, in the past, has received overwhelming support in the Senate; it has been done. The amendment has been offered before. And a vote on cloture on the bill. If the bill goes down, there may be an opportunity we will bring it back again, but I do not know when. It certainly is not going to be in January. We have a lot of other people who are interested in doing things in January.

The Republicans have had their chance to be reasonable on the farm bill. I have tried my best to be patient, to be reasonable, to be thoughtful on a way to proceed on this bill. What did we get last night? I have said: Right now, Democrats—we can come up with five amendments, all relevant. That leaves them with the nonrelevant amendments. We will give them the average—or if they want two, we will consider that. But we are not going to deal with 247 amendments. We want five; we don't want nonrelevant amendments as has been done in the past. I don't know how we could be more reasonable than that—five.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. We could have done way more than five amendments over the past week if the majority leader had not filled up the tree and prevented amendments from being offered. The last time the tree was filled on a farm bill was two decades ago, on October 31, 1985. In 1985, the majority leader filled the tree after a week of floor consideration; not after the very first day, but after a week—a week.

Here, amendments were prevented by a parliamentary device of the majority leader, which he is certainly entitled to use, to prevent an amendment process from going forward. Now we have this 1,600-page bill with no amendments allowed, and the majority leader says we ought to invoke cloture on the bill and pass it.

Look, we know the farm bill is going to pass. With all due respect to my good friend the majority leader, I know he is bluffing. He is going to pass a farm bill. I am reasonably confident the farm bill is going to pass after the minority gets an opportunity to offer some amendments.

I am also totally confident that the fact that the amendment list has a lot of amendments on it at the beginning does not mean they are all going to be offered or all going to be voted on. That is just the way the legislative process starts on a very large, complicated bill that we only pass once every 5 years.

I suppose we are at a stalemate. Obviously, we will continue to talk, and hopefully we can work out some way to go forward. But I am very doubtful that the minority is going to be interested in going forward in a situation where they basically have no opportunities to affect a 1,600-page bill that we only pass every 5 years.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, if this were a jury, they wouldn't be out very long and they would return a verdict on behalf of the majority. To think someone would be gullible enough to believe the Republicans have not had an opportunity to offer amendments is simply without basis in fact. We have said all we have to do is get rid of the Dorgan amendment. There is plenty of opportunity to offer any amendment they want to offer in relation to this bill—anything they want to offer that is relevant and germane.

This is all a game, a game that is being played for reasons to destroy this farm bill, and they are doing a pretty good job. A week ago last Monday we started on this legislation, and we have accomplished nothing because the Republicans have refused to do so on the basis that they have been unable to offer amendments, which is untrue.

This is a situation in which we find ourselves. I think Democrats and Republicans are satisfied that the right thing is being done, where they don't have to march down here again on an unrelated matter and vote on immigration matters. Everyone knows AMT is going to be resolved. It has passed the House; we are going to do it here. This is a game that is being played.

I repeat, if this were a jury—and it is not, and I understand that; at least the jury is not going to be in until next November—we would find a quick return of a verdict because what we have agreed to do is what has been done in many instances on every farm bill. We do not deal with nonrelevant amendments, and we are not going to on this one unless there is some agreement reached, as I have indicated.

I repeat, this afternoon we are going to go ahead and file cloture on this amendment that has been pending for 10 days and file cloture on the bill. If the Republicans don't want a farm bill, they have an opportunity to vote not to proceed on the legislation.

Mr. MCCONNELL. Mr. President, on the issue of nonrelevant amendments in the last several decades, the majority leader has indicated the farm bill has not had nonrelevant amendments. According to my information, the

Democrats have filed seemingly non-relevant amendments during consideration of the last several farm bills on such things as the Social Security trust fund—offered on a farm bill; bankruptcy—offered on a farm bill; and convicted fugitives in Cuba—offered on a farm bill. So I hope no one seriously believed that nonrelevant amendments have not been offered by the other side on farm bills over the last couple of decades.

This is the kind of sparring that frequently goes on at the beginning of a big, complicated bill. We all know how it will end. It will end, in the end, with a reasonable number of amendments on both sides being voted on and the passage of the farm bill. The timing of that, obviously, will be up to the majority leader, who does have a difficult challenge. Floor time is always at a premium in the Senate. We understand that. But at some point, we will pass the farm bill, in the near future, after we have negotiated a process that is fair to both sides.

I yield the floor.

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

Mr. REID. Mr. President, the Republican leader still refuses to answer the question before this body. The question is very direct. Why nonrelevant amendments? People can file them; we just have never voted on them in farm bills. It is very clear we have not voted on them.

We had a bill in 2001–2002, one in 1996, and one in 1990. In 1990, there were two nonrelevant amendments that were considered, that is it; in 1996, no non-relevant amendments; in 2001–2002, two nonrelevant amendments—as I have indicated, an average of one in the last three bills.

We cannot be in a position here where the first amendment offered is one that is going to deal with immigration again, border fences, how long the fence is. How many times do we have to vote on how long the fence should be between the United States and Mexico, without even addressing the fence in northern America? As I indicated, the new immigration legislation of choice to bash people is now the driver's license—that is here. I don't think we need to get into that. What we need to get into is amendments that deal with this farm bill.

Some may say this is sparring. I do not agree with that. I think we are about the business of this country. We have a lot to do. The issue before this body now is this farm bill. I am very disappointed that it appears quite likely there will be no farm bill.

Mr. MCCONNELL. Mr. President, this has been an interesting colloquy, but the parliamentary situation we are in is that unless the majority leader gives his consent, no amendments on my side will be allowed. That is an unacceptable way to go forward on a 1,600-page bill that we pass every 5 years. We will continue to talk. We all know there

will be a farm bill. The only issue is when and how, and that is something we will have to negotiate here in the Senate, as we always do.

I yield the floor.

Mr. REID. Mr. President, last word, maybe; otherwise, I get the last word later.

Mr. President, the Republicans offer an amendment. I offered the first amendment on behalf of DORGAN and GRASSLEY. It is a bipartisan amendment. If they have an amendment they want to offer, let them offer it. I will be happy to stand out of the way. But they are offering all these excuses why they can't do it, and that is too bad.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 60 minutes, with Senators permitted to speak up to 10 minutes, with the time equally divided or controlled by the two leaders or their designees and with the majority controlling the first half and the Republicans controlling the final half.

Who yields time?

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### FOOD AND ENERGY SECURITY ACT

Mrs. LINCOLN. Mr. President, I rise today and come to the floor to encourage my colleagues to move expeditiously to pass the Food and Energy Security Act of 2007.

Sometimes we get caught in our bubble in Washington and we forget, we forget there is a whole world outside in this great land of ours: working families, folks who are working hard each and every day to provide for their families, to ensure their safety, to take care of their children, to be a part of their community, and to help their neighbors.

On October 25 our Senate Agriculture Committee passed this legislation unanimously, not one single dissenting vote. And that is because there were a lot of Members who understood the importance of this bill. They came together and worked to come up with a bill in which everyone had a vested interest.

It passed unanimously for good reason. It does a tremendous amount not

only for our farm families but for antihunger advocates, for environmentalists, those working to spur economic development in rural areas, and it takes tremendous strides to rid our Nation of its dependence on foreign oil.

All of those are positive, progressive things that happen in this bill, brought together, again, by a group in the Senate Agriculture Committee who wanted to make progress, who wanted to put together a bill everybody could be proud of, that everybody could help move forward.

I know this policy effort is not on the top of everyone's priority list in this body like it is on mine. It is on the top of my mine, and it is a huge priority for me for multiple reasons. One, I am a farmer's daughter. I understand. I understand what farm families are doing out there. I understand, when they get up at the crack of dawn, before the Sun comes up, they get out and work hard, to do something that gives them a tremendous sense of pride. They produce a safe and abundant and affordable supply of food and fiber for this country.

I also know it is a huge priority for me because of my State, and the fact that my State has an economy that is based on agriculture. They have a great sense of pride in not only being able to provide that safe and abundant and affordable food supply in the most efficient way possible for this great land, but they do so worldwide as well.

At a minimum, everyone here should recognize and appreciate what this bill accomplishes, even if you take for granted that the grocery store shelves are full when you go in that grocery store, even if you take for granted that you pay less than anybody in the developed world per capita for your food source, and even if you take for granted the fact that it is produced in the most environmentally respectful way, and also that it is produced in a way that is safe, through all kinds of regulations, all kinds of research that provides us the sound backing that our food source is safe.

It is safe for our children, safe for our elderly, safe for our families. That is huge. At a time when we are seeing foods coming in through our borders, through our ports that are unsafe from countries that do not put on those restrictions and regulations, for countries that do not have the efficiency on their farms that we do, it is absolutely critical that we bring ourselves together and focus on this bill.

In this bill there is a \$5.28 billion increase—an increase—to our nutrition programs. These are programs that provide assistance and a nutritious meal at breakfast and lunch for children, nutritious meals for the elderly across this country, nutritious summer feeding programs, nutritious fruits and vegetables and snacks for school children. That is a huge step in the right direction.

Something we can all get behind is over a \$4 billion increase to conservation. You know it is unbelievable to see

that kind of an increase to reinforce those who love and use the land, that they can do so with the incentives to make sure they are using the optimum of technology and research to conserve that land that means so much to them and to future generations.

That is a third straight record for the farm bill in terms of increases in what we are seeing in this underlying bill. There is \$500 million for rural development in our small communities where we are seeing a desperate need for broadband and access to the information highway where we are looking for investment from entrepreneurs and small businesses so that we can keep strong our communities in rural America, and we do not see this flight into the cities, making sure those communities can be strong for the schools and for churches and for children and the working families who live in those rural communities, who have their heritage, their heart is there in that community, so that they can stay there, so that we as a nation make those investments.

The energy incentives in this bill, when it is coupled with the Finance Committee incentives, shows a true commitment to moving renewable fuels into the marketplace. You know, it does not make a bit of difference if we continue to produce all of these renewable fuels if we do not get them into the marketplace, if we do not get them into the hands of consumers. And it also does not make any difference if we do not start to think outside the box, looking for newer and more innovative processes and research to provide renewable fuels that come from feedstock that might be leftovers.

We know we can make cellulosic ethanol from cotton sticks and rice hulls and rice straw, but we have to get that to the consumer. We have to get that process going. There are great opportunities in this bill for that.

In short, this bill is a win for every region of our great Nation. And everyone, even if your plow is a pencil, even if you have not spent time walking rice levees or scouting cotton or chopping down coffee bean plants in a bean field like I have, even if your plow is a pencil and the closest farm is 1,000 miles away from you, it should be so obvious to everyone that the farm bill provides exactly what this title suggests: it provides this Nation's security, it provides us with security of knowing that we will have the domestic production of a food supply for our people and for our Nation, that we will help feed the world with that safe and affordable and abundant supply of food and fiber.

Unfortunately, it is clear by the criticisms of the farm bill by the editorial boards and major newspapers that many of our hard-working farm families are not getting the respect they deserve for what it is they provide. It is my hope the Senate will not also take for granted the security of safe food and fiber at a time when so much of what is entering this country