

There are other things that could come up that may extend the time. We may not be able to finish things on Wednesday. There are things the House is sending over to us today, or not sending to us today, that we may have to act on. I am going to do my very best, working with the Republican leader, to get us out of here on Wednesday, but that is no guarantee. I am going to do the very best we can, but there may be other things that come up that we are forced to work on. Even though the House is gone, certain things they have done, if we decide we have the opportunity to do those, we may have to do some of those things.

I want everyone to know we will do our very best to get out of here sometime Wednesday night, but there is no guarantee on that, so I wouldn't make plans on Thursday to go golfing or anything like that.

#### FOOD, CONSERVATION, AND ENERGY ACT OF 2008

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6849, which was received from the House.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6849) to amend the commodity provisions of the Food, Conservation, and Energy Act of 2008 to permit producers to aggregate base acres and reconstitute farms to avoid the prohibition on receiving direct payments, counter-cyclical payments, or average crop revenue election payments when the sum of the base acres of a farm is 10 acres or less, and for other purposes.

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

Mr. MCCONNELL. Mr. President, I rise today in support of H.R. 6849. This important piece of legislation would revise the 2008 farm bill and help thousands of Kentucky farmers.

As many of you may know, the farm bill prohibits producers from receiving certain commodity payments on farms of 10 base acres or less. Unfortunately, Kentucky has the greatest number of farms that will be impacted by this provision. According to the USDA Farm Service Agency and the University of Kentucky, one-fourth of Kentucky's farms are 10 acres or less, which indicates that approximately 20,000 of the Commonwealth's 80,000 farms could be affected by this provision. While I supported the farm bill, I opposed the inclusion of this program in the final legislation.

Last month, I wrote USDA Secretary Ed Schafer to express my concerns regarding USDA's implementation of this provision. I was concerned that USDA had interpreted the law in a way that disqualifies farmers with more than 10 base acres because that land is not located on a single, contiguous tract. As clearly outlined in the Joint Explanatory Statement of the Managers that

accompanied this legislation, Congress intended that USDA allow for aggregation of farms for the purposes of determining the suspension of payments on farms with 10 base acres or less.

H.R. 6849 would remedy this issue by suspending this program for the 2008 crop year. I strongly support this provision since it could lessen the impact on my farmers and will perhaps provide encouragement to USDA to implement this provision in the manner that Congress intended.

Mr. CARDIN. I ask unanimous consent that the Harkin-Chambliss amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements be printed in the RECORD.

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

The amendment (No. 5679) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6849) was read the third time, and passed.

#### ORDER OF PROCEDURE

Mr. CARDIN. I ask unanimous consent that the time during recess count postclosure.

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

#### FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007—Continued

Mr. CARDIN. Mr. President, I am very pleased that the Senate stands poised to approve H.R. 2095, a bill that provides for a new generation of rail safety improvements, the reauthorization of Amtrak, and the critical Federal funding for the Washington Metro system.

All three elements of this legislation are essential to bringing America's rail into the 21st century. There are many reasons we need to do that. We need to do that because it is important for quality of life, we need to do that because it is good for our environment, we need to do that for energy security, we need to do it because it should be an important priority for our Nation.

Now we are ready to move forward. I wished to focus my comments on title VI, which is the National Capital Transportation Amendments, a section that incorporates legislation I sponsored to reinvest in the Washington Metro system.

At the outset, I wish to thank my co-sponsors, Senators MIKULSKI, WARNER, and WEBB. This has been a bipartisan regional effort, where we have worked together in an effort to come up with the right proposal.

I noticed a little earlier today that Congressman TOM DAVIS of Virginia

was on our floor. I wish to acknowledge his hard work on this legislation. He was critically important in getting this legislation through and the strategies in order to be able to accomplish an opportunity to finally vote on this legislation.

Along with my colleagues from Maryland and Virginia, Congressman HOYER was very instrumental, and others. Our collective thanks also go to the chairman and ranking member of the Homeland Security and Government Affairs Committee, Mr. LIEBERMAN and Ms. COLLINS. They were very helpful in moving forward on this bill. I would like to thank also the Commerce Committee, Senator INOUE and Senator STEVENS and Senator SMITH for accommodating the strategies so we could actually vote and pass the bill during this session.

A final word of thanks goes to Senator LAUTENBERG. He has been the champion on Amtrak. He has been the real champion to keep us focused on modernizing Amtrak and how important passenger rail is to our Nation. I wish to thank him for his persistence and for being able to marshal this bill through the Congress of the United States.

The record on the interest of the Federal Government in the Washington metropolitan area and transit goes back to 1952, when Congress directed the National Capital Regional Planning Council to prepare a plan for the movement of goods and people. That plan became the basis for the National Capital Transportation Act of 1960, which clearly states the Federal interests. From that legislation I quote:

That Congress finds that an improved transportation system of the Nation's capital region is essential to the continued and effective performance of the functions of the Government of the United States.

In 1966, Congress created the Washington Metropolitan Area Transit Authority, WMATA, to plan, construct, finance, and operate a rapid rail system for the region. By any measure, Metro has succeeded beyond anyone's expectations. Metro is the second-busiest rapid rail transit system in the Nation, carrying the equivalent of the combined subway ridership of BART in San Francisco, MARTA in Atlanta, and SEPTA in Philadelphia. Metrobus is the fifth most heavily used bus system in the Nation. In all, the Metro system moves 1.2 million passengers a day. In the fiscal year which ended 3 months ago, 215 million trips were taken on Metrorail. That is 7 million more than in 2007.

In fact, 22 of the 25 Metrorail top ridership days have occurred since April of this year. And 133 million trips were taken on Metrobus in fiscal year 2008, which is the highest year total ever, an increase of 1.4 million relative to 2007.

But let me get to the Federal Government for one moment, our responsibility. Federal facilities are located within footsteps of 35 of the Metrorail's 86 stations; that is by design. Nearly