

(b) **FACTORS TO BE CONSIDERED.**—In conducting the study required under subsection (a) with regard to the notice requirement described in such subsection, the Comptroller General shall consider the following factors:

(1) The availability of appropriate technology.

(2) Implementation and operating costs.

(3) The competitive impact any such notice requirement would have on various sizes and types of institutions, if implemented.

(4) The period of time which would be reasonable for implementing any such notice requirement.

(5) The extent to which consumers would benefit from any such notice requirement.

(6) Any other factor the Comptroller General determines to be appropriate in analyzing the feasibility of imposing any such notice requirement.

(c) **REPORT TO CONGRESS.**—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress containing—

(1) the findings and conclusions of the Comptroller General in connection with the study required under subsection (a); and

(2) the recommendation of the Comptroller General with regard to the question of whether a notice requirement described in subsection (a) should be implemented and, if so, how such requirement should be implemented.

SEC. 705. NO LIABILITY IF POSTED NOTICES ARE DAMAGED.

Section 910 of the Electronic Fund Transfer Act (15 U.S.C. 1693h) is amended by adding at the end the following new subsection:

“(d) **EXCEPTION FOR DAMAGED NOTICES.**—If the notice required to be posted pursuant to section 904(d)(3)(B)(i) by an automated teller machine operator has been posted by such operator in compliance with such section and the notice is subsequently removed, damaged, or altered by any person other than the operator of the automated teller machine, the operator shall have no liability under this section for failure to comply with section 904(d)(3)(B)(i).”

ORDERS FOR TUESDAY, MAY 11, 1999

Mr. ROBERTS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Tuesday, May 11. I further ask consent that on Tuesday, immediately following the prayer, the routine requests through the morning hour be granted, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to S. 254, the juvenile justice bill, for debate only until 12 noon.

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

Mr. ROBERTS. I ask consent the Senate stand in recess from the hour of 12:30 p.m. until 2:15 p.m. for the weekly policy conferences to meet.

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

Mr. ROBERTS. I ask unanimous consent that Members have until 2 p.m. today in order to introduce legislation and submit statements for the RECORD.

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

PROGRAM

Mr. ROBERTS. For the information of all Senators, the Senate will begin debate on the juvenile justice bill at 9:30. Amendments are expected to that legislation, and therefore rollcall votes can be expected during tomorrow afternoon's session of the Senate. As always, Members will be notified accordingly as any votes are ordered with respect to this legislation.

Members who intend to offer amendments to the juvenile justice bill are encouraged to work with the chairman and the ranking member to schedule a time to come to the floor to debate those amendments.

ORDER FOR ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ROBERTS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator CONRAD.

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

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

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

CONTINUING AGRICULTURE CRISIS

Mr. CONRAD. Mr. President, I rise today to again talk about the continuing agriculture crisis that is facing America's farmers. I spent this weekend in North Dakota. I spoke at the annual graduation of the North Dakota State School of Science and then at North Dakota State University's graduation on Saturday morning. On Friday, I went to an event we call Market-place For Kids, which we hold every year, in which children from a large part of North Dakota come in and show the things they have been working on—inventions, creative ideas that they have had.

In these three sets of events I ran into literally hundreds of North Dakota farm families. Without exception they told me, Senator, unless there is a Federal response and unless it comes quickly, literally thousands of us are going to be forced off the land this spring.

This is a crisis as deep and as serious as any I have seen in my 13 years now representing North Dakota in the Senate. We have had quite a string of crises: in 1988–1989, the worst drought since the 1930s; in 1997, the worst flood in 500 years that devastated the town

of Grand Forks, ND; and now this continuing agriculture crisis, as a result of, really, three factors. One is the collapse of farm prices. The second is incredibly bad weather over the last 5 years—overly wet conditions. In fact, as I flew over North Dakota, it looked like Lake Agassiz, which existed thousands of years ago, was reforming, because everywhere I looked, as I flew in a light plane over half of North Dakota, flying from east to west, all I saw was water everywhere. It was really stunning to see it. Then, of course, we have been hit by bad policy: A farm bill that has reductions in support from Government no matter what happens to farm prices, very steep reductions that are included in that policy; and, of course, a trade policy that left us vulnerable to incredible increases in imports from Canada traded on an unfair basis.

This stew that is being cooked is increasingly hard to choke down for our farmers. This is a recent headline, April 4, in the Bismarck Tribune, my hometown newspaper. The headline is: “Farm Families Forced To Cancel Health Insurance.” In the story they talk about Clint Jacobs, a 30-year-old farmer, who raises 200 head of cattle near Amidon, ND. That is out in western North Dakota. He and his wife and their 1½-year-old daughter were paying \$550 every 3 months for health insurance and they had \$1,000 deductible. They had to drop their health insurance.

This is a story that is repeated every day across North Dakota, and I am sure in other farm belt States as well, as we cope with the lowest prices in 52 years—the lowest prices in 52 years. These farm families, with incredibly hard-working, decent, honest people, are having to dump their health insurance in a bid to survive financially. This really is not right.

As I traveled across my State this weekend, farm families came to me, bankers came to me with a very consistent message: You have to respond and you have to respond quickly, because this is a set of facts that is going to suck thousands of us down.

This article I was referring to says that 26 out of 82 farmers and ranchers who were surveyed had dropped health insurance to make ends meet. The survey was done by the Lutheran Disaster Response of Lutheran Social Services in North Dakota. As one person said, if you have four or five bad years and you tighten the belt every time, health insurance gets to be one of the things that is cut.

That is what is happening today in my State. Patients are skipping preventive care, such as checkups and mammograms. Some doctors and other health care providers are not getting paid.

In a sidebar story by the Associated Press, their farm writer says: Facing a

dim agriculture forecast this year, farmers can now prepare for financial cutbacks. A Purdue University extension specialist who offers financial advice to struggling farmers in Indiana said families must determine what they can do without.

That is exactly what is happening in North Dakota. Maybe there are some who are listening and saying that we have had to do that in our life, we have had to cut back when times are tough, we have had to consider what you can do without; so what.

This is not a typical downturn. This goes far beyond what somebody can fairly plan for—the lowest prices in 52 years; 5 years of the worst weather on record; as a result, an outbreak of disease unprecedented in our State's history.

In over 100 years, we have never seen an outbreak of disease like we are coping with now. Scab, a fungus that breaks out when there are overly wet conditions, dramatically reduced production, with prices, as I indicated, the lowest they have been in 52 years. What a double whammy. On top of it, to have a farm bill passed—and it does not matter what farm prices are—that is slashing Government support for producers at the very time our chief competitors are spending more.

The Europeans, who are our chief competitors and who we were supposed to be convincing to cut their subsidies by cutting ours, did they decide to follow suit? Absolutely not. They have decided to spend more, and they are already spending \$50 billion a year to support their farmers. We are spending \$5 billion. That is not a fair fight.

Our farmers are ready to take on anybody anytime anywhere. They are ready to compete. They are ready to take on the farmers of France and Germany and England, and all the rest, but they are not prepared to take on, in addition to the farmers from those countries, the governments of those countries. They are not prepared to take on the French Government, the German Government, and the British Government, as well as the farmers from those countries. That is not a fair fight.

Yet, that is what we have said to our farmers: You go out there and you take on the French farmers and, while you are at it, take on the French Government as well. You go out there and compete against the German farmer, and while you are at it, take on the German Government as well.

That is not a fair fight. We have to put tools in the hands of our farmers so they have a chance to fight back. If we do not, we will wake up sometime soon and find that tens of thousands of farm families have been forced off the land and have been destroyed financially. That is what is happening in my State each and every day. Good people, honest people are being destroyed. The

question is, Are we going to stand and help them or are we going to stand by and do nothing? That is the choice that is before us. I hope we respond, and I hope we respond quickly.

We need to immediately pass the emergency supplemental that is in the conference committee between the House and the Senate tomorrow. We need to pass that legislation because it provides an expansion of credit to get farmers into the fields, and we need to add to that package. We need to add \$1.5 billion to keep the promise that we made last year in the disaster bill. We now know the farmers have signed up for the program that we have promised. We found we are \$1.5 billion short of funding what we promised. We ought to keep the promise, and we ought to do it in this bill.

In addition, we ought to provide the same supplemental benefit we provided last year to offset this dramatic decline in prices. That would be an AMTA supplemental, transition payments that were provided for in the last farm bill that are going down each and every year. Last year, because of the crisis, we provided a 50-percent supplement. We need to do that again this year. It will cost \$2.8 billion.

That is a total package approaching \$5 billion. Last year, we passed a package of \$6 billion. I would like to have that amount again this year, but the reality is that we are going to have to make do with the package like the one I have described, at least for now. But it needs to happen now. We should not wait because while we are waiting, literally thousands of people are being forced off the land and being financially destroyed, through no fault of their own, by being caught up in a circumstance of bad weather, bad prices, and bad policy. There is not much we can do about the prices, there is not much we can do about the weather, but we can do something about the policy. That is our responsibility. I hope we meet that responsibility and meet it this week.

I want to show, before I leave this subject, some charts that appeared in the newspapers back home while I was there. It showed the net return per acre of wheat in North Dakota going back to 1986. You can see the kinds of returns that farmers were seeing per acre for planting wheat. Our State is a major wheat State, really one of the key breadbasket States in the Nation.

As you can see, there were positive returns of over \$30 an acre in 1986 and 1987. Then we saw pretty tough times in 1988, 1989, and 1990, the drought years. We saw a substantial improvement in 1991, 1992, and 1993. In 1994, we saw a steep slide; 1995, further erosion; 1996 was about the same as 1995, and then the bottom fell out in 1997, negative returns per acre approaching a \$20 loss per acre. The more you planted, the worse off you were, and the same pattern was repeated in 1998.

If we do not act, 1999 is going to be a whole lot worse and, literally, as I have indicated, thousands of farm families are going to be facing auction. I showed a cartoon that was in the biggest paper in my State several weeks ago. It showed a pole, and it had auction signs, 9 or 10 different auction signs all pointing in different directions. Sitting on top of the pole was a buzzard. That is kind of the feeling in my State right now. The buzzards are swooping overhead waiting for another farm failure, waiting for another auction, waiting to see another farm family sold out, because that is what is happening all too frequently in my State these days.

If it was not enough to have the dominant crop in negative return territory the last year, this is the pattern of raising cattle. You can see very much a similar pattern, only returns went negative earlier for cattle. In 1995 and 1996, they were negative, and they were barely in the black for 1997 and 1998.

Two-thirds of the income in my State is crop income. So when crops are giving negative returns, and then you face on top of that livestock giving negative returns, it is impossible to make money—impossible to make money—again, not through any fault of these farm families. These are the hardest working, most honest people I know, but they are being devastated by events beyond their control.

The financial collapse in Asia cost them their biggest customer. The financial collapse in Russia cost them a very big customer. Those events, working together, have created a nightmare for these farm families. Then on top of that, after you stack these natural disasters, you put the final coup de grace—the bad policy coming out of Washington—and it is pretty hard for a farm family to make it.

It is pretty hard for them to take on the Europeans when those countries have decided that they are going to spend \$50 billion a year to support their producers and we are spending \$5 billion. We are being outspent, outgunned, 10-to-1. And why? Because the Europeans decided some time ago that it made sense to their countries to have people out across the land. They did not want to see everybody forced into the city. They did not think that made sense for their society.

I hope very soon we will come to a similar conclusion in this country and will decide that it makes sense to have people out across the land, because if we do not respond, there will be precious few people out there; they will all be headed to the cities. The last thing we need in the Washington metroplex is more people: More crowding, more pollution, more hassle. That is exactly what is going to happen unless we respond.

This is a good country, a generous country, and one that responds when

people are in crisis. We are going to respond to the disasters in Oklahoma, in Kansas, in Tennessee, and the other States that have been affected. I believe we are going to respond in this crisis, as well, in the farm States of America, because they are on the brink of a total financial collapse. That is the seriousness of what is happening.

Now is the time; this week is the time; on this supplemental is the time to respond, and to respond strongly, to give people the help they desperately need.

I thank the Chair and yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. If there is no further business to come before

the Senate, the Senate stands in adjournment under the previous order.

Thereupon, the Senate, at 1:32 p.m., adjourned until Tuesday, May 11, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 10, 1999:

DEPARTMENT OF STATE

M. MICHAEL EINIK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA.

MARK WYLEA ERWIN, OF NORTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS AND AS AMBASSADOR EXTRAOR-

DINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SEYCHELLES.

CHRISTOPHER E. GOLDTHWAIT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

UNITED STATES INFORMATION AGENCY

EDWARD E. KAUFMAN, OF DELAWARE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2000. (REAPPOINTMENT)

DEPARTMENT OF STATE

LARRY C. NAPPER, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR RANK OF AMBASSADOR DURING TENURE OF SERVICE AS COORDINATOR OF THE SUPPORT FOR EAST EUROPEAN DEMOCRACY (SEED) PROGRAM.

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

DONALD LEE PRESSLEY, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE THOMAS A. DINE, RESIGNED.